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Letter dated 10 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia, and in accordance with paragraph 3 (i) of Security Council resolution 1811 (2008), I have the honour to transmit herewith the report of the Monitoring Group on Somalia (see enclosure).

The Committee would appreciate it if the present letter, together with its enclosure, were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Dumisani Shadrack **Kumalo**
Chairman
Security Council Committee established pursuant to
resolution 751 (1992) concerning Somalia

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Enclosure

Letter dated 20 November 2008 from the members of the Monitoring Group on Somalia addressed to the Chairman of the Security Council Committee established pursuant to resolution 751 (1992)

We have the honour to transmit herewith the report of the Monitoring Group on Somalia in accordance with paragraph 3 (i) of Security Council resolution 1811 (2008).

(*Signed*) Matt **Bryden**
Coordinator
Monitoring Group on Somalia

(*Signed*) Gilbert Charles **Barthe**

(*Signed*) Charles **Lengalenga**

(*Signed*) Ignatius Yaw **Kwantwi-Mensah**

Report of the Monitoring Group on Somalia pursuant to Security Council resolution 1811 (2008)

Contents

		Page
	Abbreviations	5
	Summary	6
I.	Introduction	8
	A. Mandate	8
	B. Methodology	9
II.	Description of the security-related environment	9
	A. Ethiopian National Defence Force	11
	B. Transitional Federal Government	11
	C. Puntland	13
	D. Somaliland	15
	E. Armed opposition groups	17
	F. Unaffiliated and irregular forces	22
III.	Arms embargo violations	24
	A. General	24
	B. Support to armed opposition groups	25
	C. Armed criminal groups	27
	D. Case study: Mohamed Sa'id "Atom" and the Galgala militia	33
IV.	Support to the Somali security sector	34
	A. Need for a norm of compliance	34
	B. Security sector training inputs	35
	C. Ethiopia	36
	D. Case study: Ethiopian provision of training and equipment to Transitional Federal Government security forces	36
	E. Support to the Transitional Federal Government	38
	F. Unintended consequences of support to the security sector	40
	G. Sensitization efforts of the Monitoring Group on Somalia	42
V.	Financing of embargo violations	43
	A. General	43
	B. Transitional Federal Government: corruption and loss of authority	43

C. Case study: $32 million donation from the Kingdom of Saudi Arabia 44
D. Lack of financial support to the security sector 45
E. Financing of armed opposition groups 45
F. Financial support from the Somali diaspora 46
G. Case study: fund-raising by ARS/Asmara 48
H. Evolution of payment mechanisms 50
VI. Principal violators of the arms embargo and non-compliant actors 51
A. Principal violators 51
B. Non-compliant actors 52
VII. Cooperation with States and organizations 52
A. Right of reply 53
B. Assistance in the tracing of arms 53
VIII. Observations/conclusions 54
A. Security sector 54
B. Commercial availability of arms 54
C. Piracy 55
IX. Recommendations 55
A. Management, registration and disposal of weapons 55
B. Tracing of weapons 56
C. Notification 56
D. Piracy 56

Abbreviations

AIAI	al-itihaad al-Islami
AMISOM	African Union Mission in Somalia
ARS	Alliance for the Re-liberation of Somalia
DMLA	Digil Mirifle Liberation Army
ENDF	Ethiopian National Defence Force
EU NAVCO	European Union Military Coordination of Action against Piracy in Somalia
GPS	Global Positioning System
ICU	Islamic Courts Union
IGAD	Intergovernmental Authority on Development
IOM	International Organization for Migration
JABISO	Jabhadda Islaamiga Soomaaliyeed
LSA	Lower Shabelle Administration Forces
NATO	North Atlantic Treaty Organization
ONLF	Ogaden National Liberation Front
UNDP	United Nations Development Programme
UNPOS	United Nations Political Office for Somalia
UWSLF	United Western Somalia Liberation Front

Summary

The arms embargo on Somalia has been in effect for over 16 years. Most serviceable weapons and almost all ammunition currently available in the country have been delivered since 1992, in violation of the embargo. Although provision exists for exemptions to the embargo to be granted by the Security Council under resolutions 1725 (2006), 1744 (2007), 1772 (2007) and 1816 (2008), no exemption for delivery of arms and ammunition or other lethal support to any Somali armed force or group has ever been granted. Consequently, the Monitoring Group believes that every armed force, group or militia in Somalia, their financiers, active supporters and, in some cases, foreign donors are currently in violation of the arms embargo.

The volume and pattern of arms transfers to Somalia has remained fairly constant since Ethiopian military intervention and the overthrow of the Council of Somalia Islamic Courts in January 2007. Somalia's is a relatively low-intensity conflict characterized by small-scale engagements of limited duration, poorly disciplined and irregular forces armed with conventional infantry weapons, sustained by a constant, low-level flow of weapons and ammunition. In this context, the effects of even small-scale arms transfers are nevertheless devastating: chronic armed conflict, the failure of an effective central authority and one of Africa's most acute humanitarian crises. Likewise, the transfer of skills and technology for military and terrorist purposes has contributed to an escalation of certain types of violence, including targeted killings and the use of improvised explosive devices.

Commercial imports, mainly from Yemen, remain the most consistent source of arms, ammunition and military materiel to Somalia. Since June 2008, Yemeni curbs on domestic arms sales have reduced the volume of exports to Somalia and driven up arms prices in Somali markets. Nevertheless, weapons from Yemen continue to feed Somali retail arms sales and the needs of armed opposition and criminal groups. Insurgent groups in Ethiopia also procure arms and ammunition from Yemen, which then transit Somalia in violation of the arms embargo. A smaller traffic in arms and ammunition flows from Somalia to Yemen, allegedly in support of Yemeni insurgents.

Financing for arms embargo violations by armed opposition groups derives from a variety of sources, including the Government of Eritrea, private donors in the Arab and Islamic world, and organized fund-raising activities among Somali diaspora groups. In addition to Eritrea, at least two other States appear to have been involved, either directly or indirectly, in arms embargo violations through the provision of political and financial support to Somali opposition groups. Armed criminal groups are typically self-financing, employing the proceeds from piracy and kidnapping to procure arms, ammunition and equipment. Some of these groups now rival or surpass established Somali authorities in terms of their military capabilities and resource bases.

Another principal source of arms, ammunition and military materiel to Somalia is external support to the forces of the Transitional Federal Government. Although such contributions are intended to contribute to security and stabilization in Somalia, and are eligible for exemption from the arms embargo, most are not authorized by

the Security Council, and thus constitute violations. As much as 80 per cent of such support has been diverted to private purposes, the Somali arms markets or opposition groups. On balance, contributions to the Transitional Federal Government security sector have represented a net source of insecurity in Somalia, and an obstacle to stabilization efforts.

Armed opposition groups sustain themselves through mobilization abroad and effective use of the Internet. The Internet serves as a channel for dissemination of information and propaganda, fund-raising, political mobilization among diaspora communities and attraction of new recruits. A number of websites, weblogs and Internet forums are openly affiliated with one or more armed groups. They continue to make use of hawala services in a variety of ways, since these remain an effective way of remitting funds to Somalia. And contributions for the armed struggle are increasingly taking the form of commercial goods, which can then be resold in Somalia in order to generate cash.

I. Introduction

A. Mandate

1. In paragraph 3 of its resolution 1811 (2008), the Security Council conferred the following mandate on the Monitoring Group on Somalia:

(a) To continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005);

(b) To continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(c) To continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(d) To continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(e) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003, and on the previous reports of the Monitoring Group (S/2004/604, S/2005/153, S/2005/625, S/2006/229, S/2006/913, S/2007/436 and S/2008/274) appointed pursuant to resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of 17 August 2004, 1587 (2005) of 15 March 2005, 1630 (2005) of 14 October 2005, 1676 (2006) of 10 May 2006, 1724 (2006) of 29 November 2006, and 1766 (2007) of 23 July 2007;

(f) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(g) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(h) To provide to the Council, through the Committee, a midterm briefing within 90 days from its establishment, and to submit progress reports to the Committee on a monthly basis;

(i) To submit, for the Security Council's consideration, through the Committee, a final report covering all the tasks set out above, no later than 15 days prior to the termination of the Monitoring Group's mandate.

2. The Monitoring Group was based in Nairobi, and comprised the following experts: Matt Bryden (Canada), regional expert and Coordinator; Gilbert Charles Barthe (Switzerland), customs expert; Ignatius Kwantwi-Mensah (Ghana), transportation expert; and Charles Lengalenga (Zambia), finance expert.

3. The Monitoring Group travelled to Djibouti, Ethiopia, Somalia, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and Yemen.

4. Pursuant to paragraph 3 (h) of resolution 1811 (2008), the Monitoring Group kept the Security Council Committee established pursuant to resolution 751 (1992) informed of its activities throughout the period of its mandate by submitting several progress reports through the United Nations Secretariat and by providing a midterm briefing to the Committee on 9 September 2008.

B. Methodology

5. The evidentiary standards and verification processes outlined in the reports of the Monitoring Group dated 11 August 2004 (S/2004/604, paras. 24 and 25) and 9 March 2005 (S/2005/153, para. 7 and annex I) have been applied by successive Monitoring Groups. Reaffirming the previously defined standards, the Monitoring Group used the following methodology for the current report:

(a) Collection of information on events and topics from multiple sources, where possible;

(b) Collection of information from sources with primary or secondary knowledge of events;

(c) Identifying consistency in patterns of information and comparing existing knowledge with new information and emerging trends;

(d) Continuously factoring in the expertise and judgement of the relevant expert of the Group and the collective assessment of the Group;

(e) Continuously seeking out documentary support for the information collected.

6. The Monitoring Group placed special emphasis on the collection of physical, photographic and/or documentary evidence pertaining to the presence of weapons on Somali soil. Although organizational and security constraints precluded travel to Mogadishu, members of the Monitoring Group were able to travel to Baidoa and to inspect weapons in Hargeisa and Bossaso, and received documentary evidence of weapons seized by authorities elsewhere in Somalia.

7. The Monitoring Group made a deliberate and systematic effort to gain access to those involved in arms embargo violations by way of individuals who have direct knowledge or know people who have direct knowledge of details of violations.

8. The Monitoring Group interviewed government officials in the region and, where relevant, representatives from diplomatic missions, civil society organizations and aid agencies. It also contacted numerous key members of Somali civil society, political and armed groups.

II. Description of the security-related environment

9. The arms embargo on Somalia has been in effect for over 16 years. Most serviceable weapons and almost all ammunition currently available in the country have been delivered since 1992, and therefore represent a violation of the embargo. It is the judgement of the Monitoring Group that the establishment, operation and maintenance of a military or militia force in Somalia must by definition involve — except where an exemption has been granted by the Security Council — a direct or

indirect violation of the arms embargo. In other words, the Monitoring Group believes that every armed force, group or militia in Somalia, their financiers, active supporters and, in some cases, foreign donors are guilty of arms embargo violations.

10. The Monitoring Group therefore decided to include in its report a comprehensive inventory of armed forces and groups in Somalia. Since all armed groups are, by definition, currently in violation of the arms embargo, this inventory is intended to serve several purposes:

- Describe principal armed forces and groups in Somalia, their affiliates and sub-units, relative size/importance, areas of operations and involvement (or otherwise) in armed conflict
- Identify their political leaders and military commanders with a view to assigning command responsibility for embargo violations
- Identify their principal sources of arms procurement, financial support, recruitment and propaganda
- Establish baseline information for individuals and entities that may be designated by the Committee as subject to individual targeted sanctions.

11. Armed forces on all sides are characterized by weak command and control, informal hierarchies, situational loyalties, frequent schisms and shifting alliances. Furthermore, some groups/units are declared and formed with the purpose of obscuring affiliation and leadership. Nevertheless, it is possible to identify some key leaders who exercise sufficient authority to be held accountable for the actions of their forces.

12. During the period covered by the mandate of the Monitoring Group, conflict persisted in much of Somalia, and in some areas escalated. Ethiopian forces began a gradual withdrawal from parts of southern Somalia. Transitional Federal Government forces eroded dramatically, despite significant external support and training. Armed opposition groups expanded areas under their control and influence at the expense of Transitional Federal Government and Ethiopian forces. Most major southern Somali towns, including Dhusamareeb, Beletweyne, Buulo Buurto, Jowhar, Xuddur, Waajid, Bardheere, and the strategic port towns of Kismayo and Merka, are under control of opposition forces. Transitional Federal Government forces remain in control of only parts of Mogadishu and Baidoa.

13. The same period witnessed the dramatic rise of armed criminal groups throughout much of southern Somalia. Kidnapping has reached epidemic proportions. There had been over 90 attacks, including 38 successful hijackings, at the time of writing the present report. There were at least double that number of unsuccessful attacks over the same period, some of which went unreported (at the time of the writing of this report). Piracy and armed robbery at sea, perpetrated by seagoing militias based chiefly in Puntland (north-eastern Somalia) and the southern Mudug region, has made Somali territorial waters some of the most dangerous in the world for commercial shipping. Ransoms from piracy and kidnapping have been used to finance arms embargo violations.

A. Ethiopian National Defence Force

14. Ethiopia's military presence in Somalia during the period of the mandate was organized under a divisional command, suggesting a total strength of roughly one division or 6,000 to 7,000 troops. These forces have been concentrated in and around the towns of Mogadishu and Baidoa. Inside Mogadishu, Ethiopian forces have been stationed at seven principal locations. However, since August 2008, there have been indications of incremental force reductions: Ethiopian armour was withdrawn and dispatched via the port of Berbera; troops have withdrawn from the presidential compound at Villa Somalia, from Beletweyne, and from several other locations. The Monitoring Group currently estimates ENDF force levels in Somalia to be between 2,500 and 5,000 troops.

15. In paragraphs 28 and 29 of its report dated 18 July 2007 (S/2007/436), the Monitoring Group reported its determination that the presence of Ethiopian forces on Somali territory constituted a violation of the arms embargo, notwithstanding the bilateral agreements between the Government of Ethiopia and the Transitional Federal Government under which that deployment had taken place. Given that the Transitional Federal Government has no authority to "import" arms, ammunition or foreign military personnel, the Monitoring Group concurs with and sees no need to revise this prior assessment.

B. Transitional Federal Government

16. The Transitional Federal Government possesses a security establishment of fewer than 20,000 personnel, including military, police and intelligence services. Many of these, however, are believed to be "phantoms", whose pay — when disbursed — is diverted by senior commanders. Payment is irregular. Over the course of the past six months, effective force levels have been further depleted by attrition and defection.

17. The remaining Transitional Federal Government forces are disorganized and undisciplined, and to a large extent function as semi-autonomous militias. The various security forces perform similar tasks, their uniforms appear indistinguishable and it is virtually impossible to differentiate between military and "police" forces. Transitional Federal Government forces are largely structured along clan lines, usually reflecting the affiliation of senior commanders. To a large extent, chains of command reflect this diffusion and the clan affiliation of various commanders. Relevant cabinet posts, including Minister of Defence and Minister of Internal Security appear to exercise little or not real authority over forces within their respective portfolios.

Military

18. The chain of command of the Transitional Federal Government is as follows: Commander in Chief: President Abdillahi Yusuf Ahmed; Minister of Defence: Muhyadiin Mohamed Haji Ibrahim; and Chief of General Staff: Sa'id Mohamed Hersi "Dheere".

19. The size and disposition of Transitional Federal Government military forces are difficult to assess, partly because of disorganization and partly because of overlap among various security forces. Budget requests issued by the Transitional

Federal Government Chief of Staff in late 2007 indicate a total strength of 10,000. The Government of Ethiopia informed the Monitoring Group in October 2008 that it had trained 17,000 Somali security personnel, but did not specify how many were police and how many military. Of that total, Ethiopia believes less than 3,000 may still be effective, suggesting an attrition rate of over 80 per cent. Since most soldiers who desert or defect take their weapons and uniforms with them, this represents some 14,000 new weapons entering Somali territory.

20. Command responsibility for the Transitional Federal Government military is complex. According to the Transitional Federal Charter, the Transitional Federal Government President serves as Commander-in-Chief of the armed forces. Internal Transitional Federal Government documents obtained by the previous Monitoring Group suggest that the chain of command then passes directly to the Chief of General Staff,[1] bypassing the Minister of Defence.[2] In practice, however, Transitional Federal Government military units have generally functioned under Ethiopian command or in coordination with ENDF units.

21. A key exception to this rule is the Transitional Federal Government Presidential Guard, commanded by Awil Dhiigsokeeye, which comprises 867 troops based at the presidential compounds in Mogadishu and Baidoa.[3] These forces appear to receive their orders directly from the presidency. Although their primary mission is to guard the presidency, they have been involved in numerous combat operations.

22. In 2008, Ethiopia began to withdraw its forces from Somalia and gradually transfer authority to the Transitional Federal Government. During the course of this process, as many as 14,000 Ethiopian-trained troops are believed to have deserted or defected, usually with their uniforms and weapons (for more details see sect. IV C below). ENDF has therefore been reluctant to transfer the remaining forces to Transitional Federal Government control, but believes that it will ultimately have no choice but to do so.

National Security Agency

23. The chain of command of the National Security Agency is as follows: political authority: Transitional Federal Government Presidency; Director General: General Mohamed Ali Warsame "Darawiish"; and counter-terrorism: Mohamed Aden Bidaar.

24. The Somali National Security Agency is responsible for intelligence and counter-terrorism activities. Unlike other Transitional Federal Government security organs, its operating costs are largely underwritten by foreign Governments. A number of foreign Governments are reportedly involved in training the National Security Agency, but only the Government of the United States has notified the Security Council that it is doing so.

25. Although the National Security Agency does not appear to have an overt military role, in the absence of an effective military intelligence capability,

[1] See S/2008/274, annexes VI-VIII.

[2] The current Chief of General Staff, appointed 10 June 2008, is General Sa'id Mohamed Hirsi "Dheere". His predecessors have been General Salaf Hassan Jaama' "Liif" and General Abdillahi Ali Omar "Inalibaahsankataabte".

[3] Figure according to a letter from the Transitional Federal Government Prime Minister to United Nations Resident Humanitarian Coordinator, dated 20 January 2008.

information gathered by the National Security Agency informs Transitional Federal Government combat operations.

Somali Police Force

26. The chain of command of the Somali Police Force is as follows: Minister of Internal Security: Musa Nur Amin; Police Commissioner: Abdi Hassan Awaale "Qeybdiid"; and Deputy Commissioners: Abdi Mohamed Fidow and Bashir Mohamed Jaama.

27. The Somali Police Force consists, on paper, of 6,862 police officers, excluding regional and district police forces set up by local officials throughout south central Somalia, and the special forces established by the former Mayor of Mogadishu, the Police Commissioner. According to the Prime Minister of the Transitional Federal Government, in early 2008 the staffing of the Somali Police Force, which totalled 6,862, broke down as follows:

- 2,777 police officers trained and paid by the United Nations Development Programme (UNDP)
- 2,043 police officers paid by the Transitional Federal Government
- 1,000 police recruits in training in Ethiopia
- 867 Presidential Guards transferred to the Police
- 175 police officers in Puntland.

28. Although established as a civilian police force, the Somali Police Force has been increasingly drawn into Somalia's civil conflict and effectively serves as a paramilitary force engaged in counter-insurgency operations. In some areas, it is virtually indistinguishable from the Transitional Federal Government military.

29. Like the Transitional Federal Government military, attrition is a major problem for the Somali Police Force. UNDP also provided the Somali Police Force with a total of 48 Toyota Hilux double cab pickup trucks between 2007 and 2008, which have both civilian and military uses.[4]

C. Puntland

30. The "Puntland State of Somalia" was established in 1998, and possesses its own internal security forces. The size of the forces is unclear: a UNDP registration exercise in 2004 identified a total of 4,973 serving members in the Darawiish, police and Custodial Corps. The Puntland Five-Year Development Plan (2007-11), however, claims that the total figure is 10,000, and envisages a plan to reduce them by 60 per cent by 2012. Despite these reduction plans, the 2007 Puntland budget envisioned the training of an additional 2,500 trainees. The annual cost of maintaining these forces is approximately $12.6 million, or 78 per cent of the overall Puntland budget.[5]

[4] UNDP did not notify the sanctions Committee of the delivery.

[5] Based on 2003 figures from the Puntland Five-Year Development Plan (2007-2011), p. 39 (Ministry of Planning and International Cooperation, Puntland State of Somalia, 2007).

Darawiish

31. The chain of command of the Darawiish is as follows: political authority: Puntland Presidency;[5] Minister of Security: Abdillahi Sa'id Samatar; and Commander: Abdirisak Sheikh Osman "Ali Baadiye".

32. The Darawiish is a paramilitary force estimated at a strength of 5,000, "primarily engaged in border security, but [which] regularly assists the police in incidents that require more re-enforcement [...], participate in internal security as required and assume other more versatile security roles when needed".[6] Since 2007, an estimated 1,500 Darawiish have been deployed to southern Somalia on combat operations, highlighting the force's dual role. In October 2007, Darawiish forces under the command of Abdisamad Ali Shire were also engaged in combat operations against Somaliland military units near Laas Anood, in the Sool region.

33. Puntland forces are paid and equipped principally with tax revenues collected by the Puntland authorities, although sources have also told the Monitoring Group that some clan-based fund-raising efforts also take place among diaspora groups, mainly in support of military operations in southern Somalia. Supplementary assistance is provided by the European Commission, the UNDP Rule of Law Programme, the International Organization for Migration (IOM) and the Government of the United States.

34. The Puntland authorities and the Ethiopian Government cooperate closely on security matters, including intelligence-sharing, and Ethiopia provides training opportunities for Darawiish officers. The Monitoring Group has also received credible information from multiple sources indicating that Ethiopia provides weapons to the Puntland authorities, including a shipment of small arms and ammunition in August 2008 (see para. 158).

Police

35. In the Puntland registration database there are still 1,500 Darawiish who had followed Abullahi Yusuf to Jowhar and Mogadishu. An additional 541 Darawiish, 446 police and 91 custodial corps were registered in Sool and Sanaag in late 2005 and early 2006.

36. The Puntland police force is believed to be 1,500 strong, 800 of whom have been trained by UNDP, including 270 police officers who are operating in the Special Protection Unit.

Puntland Intelligence Service

37. The chain of command of the Puntland Intelligence Service is as follows: political authority: Transitional Federal Government Presidency; and Commander: Osman Abdillahi Mohamud "Diana".

38. The Puntland Intelligence Service was established with support from the United States Government in 2002, and serves as the Puntland authority's principal intelligence and counter-terrorism agency. It possesses a small armed force of its own, which may reinforce the Presidential Guard.

[6] Ibid., p. 32.

39. On 29 October 2008, its headquarters in Bossaso was the target of two simultaneous suicide bomb attacks.

Puntland Coast Guard

40. The Puntland Coast Guard was established in 2000, with assistance from the British private military company Hart Security Maritime Services Limited, officially to prevent illegal fishing and dumping of toxic waste in territorial waters. Its estimated strength is 300 personnel. The Puntland Coast Guard operates from Bossaso, and the Monitoring Group estimates that it possesses up to eight armed, ocean-going vessels.

41. It was initially funded through the issuance of fishing licences, and the penalties levied upon vessels caught fishing without such licences. In 2003, the Panel of Experts observed:

> "While there exists an urgent need to protect Somalia's maritime resources from foreign fishing vessels, there is also a clear risk that "coastguard" operations of the kind organized by the Puntland authorities could in fact provide legitimacy for sanctions-busting by local authorities and faction leaders. At the same time, the sale of licences to foreign vessels in exchange for fishing rights has acquired the features of a large-scale protection racket, indistinguishable in most respects from common piracy." (S/2003/1035, para. 147)

42. Although the Monitoring Group remains concerned about possible abuses, since mid-2008 the Puntland Coast Guard has begun to demonstrate limited but growing effectiveness in its operations against pirate groups operating in Puntland coastal waters.

D. Somaliland

43. The Somaliland authorities maintain a total security establishment of approximately 22,000 security personnel, including military, police and intelligence services. There is no air force or navy, but a small civilian coast guard functions under the auspices of the Ministry of the Interior.

44. Somaliland security forces are paid and equipped principally with tax revenues raised by the administration. In 2008, the total security budget was $7,830,717, equivalent to 49 per cent of the total Somaliland budget ($16,140,804). The security component was further broken down as follows:

- military: $4,629,341
- custodial corps: $881,768
- police: $2,287,862
- Ministry of the Interior: $31,746

45. Supplementary assistance to the police is provided by the European Commission, the British Government, the UNDP rule of law programme, and IOM. The Somaliland authorities and Ethiopian Government also cooperate closely on security matters, and Ethiopia reportedly provides training for Somaliland military officers.

46. Somaliland is currently not an active belligerent in the Somali conflict, but its claim to independence and dispute with the Puntland administration over Sool and eastern Sanaag regions could potentially lead to armed conflict in future. In October 2007, Somaliland forces and allied militias took control of the town of Laas Anood, capital of the Sool region, which is also claimed by Puntland.

Somaliland army

47. The chain of command of the Somaliland army is as follows: Commander-in-Chief: President Daahir Rayale Kaahin; Minister of Defence: Abdillahi Ali Ibrahim; and Chief of Staff: Nuh Ismail Tani.

48. Budgetary allocations for the Somaliland army are based on an effective strength of 16,000, and open source estimates range as high as an improbable 64,000. A March 2004 security sector workshop assessed total strength of the army at 11,000 members, of which 6,000 were war widows, invalids and elderly who were nevertheless still on the payroll.

Somaliland Police Force

49. The chain of command of the Somaliland Police Force is as follows: Minister of the Interior: Abdillahi Ismail Ali 'Irro'; and Chief of Staff: Mohamed Sanqadhi Dubad.

50. The strength of the Somaliland Police Force is estimated at 3,000. UNDP supports a 400-strong Special Protection Unit, which provides site protection and armed escort for humanitarian operations.

Somaliland Custodial Corps

51. The chain of command of the Somaliland Custodial Corps is as follows: Minister of Justice: Ahmed Ali Asowe.

52. The Custodial Corps consists of 1,540 armed guards, posted at various prisons around the territory.

Somaliland National Intelligence Agency

53. The chain of command of the Somaliland National Intelligence Agency is as follows: political authority: President Daahir Rayale Kaahin; and Director General: Mohamed Nur Osman.

54. The Somaliland National Intelligence Agency serves as the principal intelligence and counter-terrorism service of the Somaliland authorities, and contains the Immigration Department.

55. It is apparently funded from the Somaliland budget through the Ministry of the Presidency. It reportedly receives additional support from foreign donors, including IOM and the Government of the United Kingdom.

E. Armed opposition groups

56. Opposition to the Transitional Federal Government and its foreign allies is distributed across a wide variety of groups, often referred to popularly as *Muqaawamada*. These groups share some common objectives, but lack unified command and are openly divided over a number of issues.

57. The total strength of opposition groups is unknown, but the Monitoring Group estimates that they collectively control or exercise influence over more than 90 per cent of the territory of Somalia south of the town of Gaalka'yo.

Alliance for the Re-Liberation of Somalia/Islamic Courts Union

58. The Alliance for the Re-Liberation of Somalia (ARS) was formed in October 2007 at a conference in the Eritrean capital, Asmara. The organization brought together representatives of four groups, including the Islamic Courts Union (ICU), former members of parliament, eminent political figures and members of the Somali diaspora. Of these four groups, only ICU possesses significant military capacity inside Somalia.

59. The chain of command of the Alliance for the Re-Liberation of Somalia is as follows: Chairman, Alliance and Executive Committee: Hassan Dahir Aweys; First Deputy, Alliance and Executive Committee: Jaama Mohamed Qaalib; Second Deputy, Alliance and Executive Committee: Zakariye Mahamud Haji Abdi; Chairman, Central Committee: Sharif Salah Mohamed Ali; Chairman, Council of Islamic Courts: Omar Iman Abubakar; Secretary for Defence: Yusuf Mohamed Siyaad "Indha'adde"; and Spokesmen: Mohamad Adan "Kofi", Isma'il Haji Adow.

60. In May 2008, ARS split into two rival wings, one based in Asmara and the other based in Djibouti. Yusuf Mohamed Siyaad "Indha'adde" serves as chief of military and logistical affairs for the Asmara faction. In this role, he has functioned as a principal conduit for material and financial support from Asmara to ARS/Asmara forces inside Somalia.

61. The chain of command of ARS/Djibouti is as follows: Chairman: Sheikh Sharif Sheikh Ahmed; and Deputy Chairman: Abdulqaadir Ali Omar.

62. ARS/Djibouti has not publicly named a military chief. Abdulqaadir Ali Omar, Deputy Chairman of the ARS/Djibouti Executive Committee, reportedly also serves as senior military commander on the ground from his base in Jowhar. Other key figures include spokesmen Mohamud Ibrahim Suley and Abdirahim Isse Addow.

63. Despite divisions among its leaders, ARS military efforts inside Somalia remain largely unified. ARS field commanders have repeatedly affirmed their commitment to unity. In October 2008, 78 ARS field commanders from both wings, including ARS/Asmara leader "Indha'adde" and ARS/Djibouti Deputy Chairman Abdulqaadir Ali Omar, took part in a conference at Jalalaqsi, in the Middle Shabelle region. The conference resolved that the unity of ICU is inviolable and that leadership divisions will not adversely impact the armed struggle, and called upon the Somali people to remain united in the liberation of their country.

64. ARS military organization is highly decentralized. Forces on the ground tend to be locally based and anchored in sub-clans. The primary loyalty of most ARS field commanders appears to be to their local communities, rather than to either

wing of the divided alliance. Likewise, they seek recruits and resources primarily from their local communities and their diaspora supporters abroad.

65. ARS also possesses a number of special units, such as Jugta Culus (Heavy Strike Force), a force equipped almost exclusively with heavy weapons, which has been active in Mogadishu since September 2008. Later the same month, Jugta Culus fighters reportedly took part in deliberate attacks on positions of the African Union Mission in Somalia (AMISOM).[7]

66. ARS forces receive financial support from a wide variety of sources: clan contributions, diaspora-based fund-raising efforts and the business community. The ARS/Asmara wing receives support from the Eritrean Government. Under the terms of an October peace accord signed under the auspices of the United Nations in Djibouti, as a partner of the Transitional Federal Government, the ARS/Djibouti forces may also be eligible to benefit from donor contributions to security sector support programmes.

Jabhadda Islaamiga Soomaaliyeed

67. The chain of command of Jabhadda Islaamiga Soomaaliyeed (JABISO) is as follows: political authority: al-I'tisaam bil Kitaab wa Sunna; Chairman: Ahmed Abdillahi Omar; Chief Military Commander: Abdulqaadir "Kommandos".

68. Jabhadda Islaamiga Soomaaliyeed (Somali Islamic Front) was founded in 2007, in response to Ethiopian intervention in Somalia, and made its first public appearance in December 2007. It is described in the opposition media as the armed wing of Al-I'tisaam bil Kitaab wa Sunna, a successor organization to al-Ittihaad al-Islaami (AIAI) formed in late 2006. The Chairman of JABISO is Ahmed Abdillahi Omar; the chief military commander is Abdulqaadir "Kommandos", a former military officer, businessman and Islamist activist. He is also allegedly a former member of AIAI.

69. The overall strength of JABISO is unknown, but is estimated in the hundreds. In early 2008, JABISO embarked on a series of operations concentrated mainly in the area between Marka, Bale Dogle and Beletweyne. Several of these operations were conducted jointly with ARS forces, and the JABISO Chairman claims that his movement collaborates with all resistance forces; but ideological differences between JABISO and Shabaab have reportedly prevented meaningful cooperation between these two groups.

70. JABISO also appears to have close ties with the United Western Somalia Liberation Front (UWSLF), which operates in eastern Ethiopia and also traces its origins to AIAI. JABISO Chairman Omar claims that his movement has no ties to any Government, but the organization's links with UWSLF and al-I'tisaam, both of which have close ties with Asmara, may be indicative of a relationship with the Eritrean Government.

Harakat al-Shabaab al-Mujahidiin (Mujahidiin Youth Movement)

71. The chain of command of Shabaab is as follows: Amir: Sheikh Mohamed Mukhtar Abdirahman "Abu Zubeyr";[8] Spokesman: Mukhtar Roobow "Abu

[7] See www.hiiraan.com/news/2008/Sept/waraka_maanta24-4652.htm, accessed 3 November 2008.

[8] The Monitoring Group believes this to be an alias for Ahmed Abdi aw Mohamud "Godane".

Mansur"; and principal figures: Ibrahim Haji Jaama Mey'aad "al-Afghani"; Ahmed Abdi aw Mohamud "Godane"; Fou'ad Mohamed Khalaf "Shangole"; Hassan Turki.[9]

72. Shabaab has evolved rapidly from an obscure militia group in early 2005, to the militant wing of ICU in 2006, and into an autonomous guerrilla force in parts of south central Somalia in 2007. Owing to its clandestine nature, the organizational structure and order of battle of Shabaab is obscure. Total effective strength is currently estimated by the Monitoring Group at several thousand fighters.

73. On 3 September 2008, at the start of Ramadan, a statement by Shabaab announced the advent of the campaign on the theme "No Peace Without Islam". The Shabaab continues to claim credit for military operations in the context of this campaign.

74. Formerly a militant sub-group of ICU, Shabaab has increasingly sought to establish itself as an autonomous force, and has declared "war" on other armed opposition groups. Shabaab spokesman Mukhtar Roobow "Abu Mansur" (who also serves as regional commander for Bay and Bakool) has declared the group to be aligned with Al-Qaida, and has appeared in recruitment videos with suspected Al-Qaida operative Saleh Ali Saleh Nabhan. The launch of the Shabaab campaign "No Peace without Islam" echoed a 22 June video message of the same name by prominent Al-Qaida figure Abu Yahya al-Libi.

75. Active supporters of Shabaab engage in fund-raising in Somali diaspora communities and in propaganda activities. They manage a number of websites, including the principal Shabaab mouthpiece (kataaib.net), as well as Internet video channels and forums monitored by the Monitoring Group.

76. The current "Amir" of Shabaab is described as Sheikh Mohamed Mukhtar Abdirahman "Abu Zubeyr". The Monitoring Group believes that this name is in fact a pseudonym for Ahmed Abdi aw Mohamud "Godane", a known Shabaab leader. Likewise, it is unclear whether the title of "Amir" carries with it any specific authority, and it may in fact be intended to deflect attention from other, more senior Shabaab figures. In practice, leadership appears to be exercised collectively through a committee, or *shura*, of key figures.

77. In public statements, Shabaab claims to have a number of sub-units including:

(a) al-Usra Army: Shabaab media releases refer to the organization's military wing as al-Usra Army. According to statements by Shabaab leaders monitored by the Monitoring Group, the group's forces include the following major sub-units:

- Sa'ad Bin Abu Waqaas Brigade
- Mus'ab Ibnu Umeyr Brigade
- Abu Muhsin (Aden Ayrow) Brigade
- Imam Ahmed Gurey Brigade;

(b) al-Hisbah Forces: Shabaab declared the formation of al-Hisbah Forces in August 2008, as a "Shari'a Police", with the mission to "propagate virtue and prevent vice". According to the Shabaab websites, al-Hisbah Forces has conducted

[9] Hassan Turki is not, strictly speaking, a member of the Shabaab, but is closely aligned with them.

operations throughout southern Somalia, eliminating banditry, removing roadblocks and closing video parlours. Command arrangements for these forces have not yet been identified;

(c) Notwithstanding this apparently centralized apparatus, Shabaab military organization is collective, decentralized and fluid, leaving considerable autonomy with local commanders. As a result, regional commands appear to operate independently of one another, and there is often evidence of friction between them. Principal commands may be described as follows.

Bay and Bakool regions

78. The Bay and Bakool regions chapter of Shabaab is headed by Mukhtar Roobow "Abu Mansur". Abu Mansur also serves as principal spokesman for Shabaab and is active in fund-raising efforts. Senior commanders under Abu Mansur's leadership include Ma'alin Mohamed Jiinay and Hassan Ma'alin Takow.

79. Roobow is openly aligned with members of Al-Qaida East Africa, notably Saleh Ali Saleh Nabhan, with whom he appeared in a video released in September 2008. Other Shabaab videos have shown foreign fighters and trainers at camps apparently managed by Roobow.

80. Roobow's forces collaborate with other Shabaab sub-units, notably an armed group led by Mukhtar Timojili'. Although usually based in Mogadishu, in August 2008, Timojili' fighters were active in the Dinsoor area, where they reportedly killed and beheaded a Somali driver working for the World Food Programme, Mohamed Mansur, in September 2008. The Monitoring Group believes that, like Roobow, Timojili' benefits from the support of foreign trainers, one of whom may have supervised the beheading of Mansur and its capture on video.

South central Somalia and Mogadishu

81. South central Somalia, including the capital city, is the most violent theatre of the Somali conflict. Shabaab is most active there and deploys multiple units. Until his death in an American air strike in May 2008, the most prominent commander was Aden Hashi Ayrow. Since his death, no single Shabaab commander of comparable stature has emerged, and leadership appears to have devolved upon a number of more junior leaders. These include Mukhtar Timojili', Hassan Afrah, Mahad Garadey and "Abu Qatada".

82. Shabaab operations in Mogadishu, including targeted killings, the use of improvised explosive devices and temporary closure of the Mogadishu airport, have contributed to a climate of fear and cost the group a large measure of public support. Opposition sources have told the Monitoring Group that Shabaab relies heavily on weapons seized in combat and purchased from the Transitional Federal Government and Ethiopian forces. The financing for such purchases is generated from external fund-raising efforts.

Puntland and Somaliland

83. Shabaab operates in Puntland and Somaliland as clandestine networks rather than as guerrilla forces, but its forces are heavily armed and their operations are centrally coordinated. The Monitoring Group believes that the commander of the Puntland network is Fu'aad Mohamed Khalaf "Shangole", a Swedish national, who

moves relatively freely between Mogadishu and Garowe. A number of local figures have been linked to Shabaab operations in Puntland, notably Mohamed Ismail Kinkin and Mohamed Sa'id "Atom" (see sect. D below). The Monitoring Group believes that Atom is one of the principal suppliers of arms and ammunition for Shabaab operations in Puntland.

84. Major Shabaab operations in Puntland have included facilitation for the evacuation of Shabaab and foreign fighters from southern Somalia in early 2007, and the bombing of a busy market frequented by Ethiopian economic migrants on 6 February 2008, which killed at least 20 people and wounded more than 100 others. The Puntland authorities also believe that Shabaab has been involved in numerous other violent incidents, including targeted killings, especially in Bossaso and Gaalka'yo.

85. Shabaab operations in Somaliland are guided from southern Somalia by al-Afghani and Godane, both of whom have been sentenced to death in absentia by a Somaliland court for their respective roles in the murders of several foreign aid workers between 2003 and 2004. A number of other Shabaab operatives are currently serving sentences in Somaliland prisons.

86. More recent Shabaab operations in Somaliland have included an attempt to disrupt parliamentary elections in 2006 with a campaign of bombings and targeted killings. These operations were coordinated from Mogadishu, and were funded in part through criminal activities. The multiple suicide bombings of October 2008 also seem likely to be the work of Shabaab, unless a new group with similar capabilities has emerged in Somaliland.

Hassan Turki

87. The Juba Valley command is headed by Hassan Abdillahi Hersi "Turki", a former military officer. Strictly speaking, Turki is not a member of Shabaab, although he is closely aligned with it: he permits training of Shabaab forces on territory under his control, and his forces have conducted joint operations with Shabaab, including the capture of Kismayo in August 2008. Turki has also entertained links to members of the Al-Qaida East Africa network, notably Isse Osman Isse, and has himself been designated as a terrorist by the United Nations 1267 sanctions Committee.

88. Turki's forces exercise control or influence over most of the Juba Valley between Kismayo and Buale. Key commanders aligned with Turki include Mohamud "Ga'acmodheere", and Mohamed Muhumed Ali "Dulyadeyn" (see para. 92 (a) below). Isse "Kambooni" is believed to serve as Turki's chief of intelligence and counter intelligence. Mohamed Bishar, Ibrahim Shukri "Abu Zeynab" and Abdinasir Seraar all served under Turki's leadership until recently, but have reportedly aligned themselves with ARS/ICU following rifts with Turki over the administration of Kismayo in August 2008.

89. Turki's forces played a key role in the seizure of Kismayo in August 2008, supporting Shabaab after they suffered initial setbacks. This gave Turki a role in the appointment of municipal officials, including Kismayo mayor, Abubakar Hersi "Seyli'i". The Monitoring Group believes that Seyli'i may be a pseudonym for a senior Shabaab figure, Ibrahim Haji Jaama Mey'aad "al-Afghani". The challenges posed by forming a new administration for Kismayo, however, have created

frictions within Turki's organization, leading to the departure of some commanders and the emergence of some new leaders.

90. Despite his credentials as an Islamist leader and ideologue, Turki's forces are predominantly from his own Reer Abdille sub-clan of the Darod/Ogaden. He must compete for the loyalty of this clan with other armed groups, notably ARS, the Ogaden National Liberation Front (ONLF) and UWSLF.

91. Turki's most sustainable source of income derives from "taxation" and extortion at entry points to his territory. This includes beach ports at Badamadow, Ras Kamboni and Qudha. The capture of Kismayo represents a potential financial windfall for Turki and his allies, through control of the town's port, airport and associated revenues.

92. A number of armed groups also operate within Turki's sphere of influence and appear to be affiliated with him to lesser or greater degrees:

(a) Ras Kamboni Mujahidiin: Ras Kamboni Mujahidiin is a mainly Ogaden clan militia led by Mohamed Muhumed Ali "Dulyadeyn". The group first came to prominence in August 2008 during the battle for Kismayo. In the last week of September 2008, Ras Kamboni fighters attacked the Transitional Federal Government presidential compound in Mogadishu and took part in clashes with AMISOM forces;

(b) Khalid bin Walid Forces: Khalid bin Walid Forces is a principally Marehan clan militia based in Kismayo. Although it coordinates with Turki's forces and shares responsibility for control of Kismayo, it possesses autonomous command arrangements. Khalid bin Walid Forces describes itself as being aligned with ICU rather than with Shabaab. The force is reportedly guided by a *shura* (council), headed by Sheikh Ali Ismail Abdille. The previous commander, Mustafa Ali Anod, was dismissed by the *shura* when he threatened to launch attacks on Kenya. An uncorroborated press report identifies the new commander as Hassan Mahdi;

(c) The force first appeared in August 2008 and participated in the seizure of Kismayo. On 6 October, the *shura* chairman announced that the group would begin operations in Mogadishu and subsequently took part in fighting in the capital.

F. Unaffiliated and irregular forces

Lower Shabelle Administration (LSA) Forces

93. The Lower Shabelle Administration Forces is a regionally based militia, aligned with the Transitional Federal Government, which provides both police and military functions. Although dominated by the Habar Gidir Ayr clan, militias from other sub-clans have reportedly been incorporated, contributing to the reputation of LSA Forces as one of the most effective security forces in southern Somalia. It is commanded by Ali Adan "Ganey". Deputy Commander Nuuriye Ali Farah was killed by a landmine in October 2008.

94. The Lower Shabelle Administration Forces is financed in large part through payments collected at checkpoints along the main Mogadishu-Marka road.

Digil Mirifle Liberation Army

95. Digil-Mirifle Liberation Army (DMLA) is a clan-based militia aligned with the Transitional Federal Government, which provides both police and military functions. It comprises 800 to 1,000 security force personnel, commanded by Abdifatah Mohamed Ibrahim, Governor of the Bay region.

96. According to the Governor of the Bay region, DMLA exists under the auspices of the Transitional Federal Government Ministry of Interior and National Security. It is therefore supposed to be funded by the central Government, but in fact receives no such support. According to sources interviewed by the Monitoring Group in Baidoa, failure to pay the militia regularly means that many have turned to crime and are a primary source of insecurity in the region. Defections and desertions are commonplace.

Commercial militias: SECOPEX and Africa Oil

97. On 6 May 2008, a French-based private military company named SECOPEX announced that it had signed a "partnership agreement" with the Transitional Federal Government, under the terms of which SECOPEX would "contribute to raising the level of security in Somalia's seawaters, both territorial and within her economic exclusive zone boundaries (200 miles)".[10] Media reports asserted that the agreement also involved the creation of a coastal intelligence capability and training of a presidential guard unit. The agreement was signed on behalf of the Transitional Federal Government by Abdirizak Adam Hassan, Senior Adviser to the President.

98. In a subsequent media interview, Hassan stated that SECOPEX had only been given approval to pursue such a contract and seek requisite funding, estimated at between $75 million and $150 million over three years.[11]

99. On 22 July 2008, the Monitoring Group wrote to SECOPEX Chief Executive Officer Pierre Marziali in order to seek clarification. Mr. Marziali informed the Monitoring Group that his company has no "current" activities in Somalia, and would keep the Monitoring Group informed of any future developments.

100. In August 2008, the Monitoring Group received information indicating that Africa Oil Corp., a company based in Vancouver, Canada, had begun to recruit local armed guards to protect its facilities in Bossaso, Puntland.

101. In October 2008, a British national working for Africa Oil Corp. was briefly abducted while travelling outside Bossaso.[12] According to press reports, this event prompted Africa Oil Corp. to recruit foreign armed security guards. On 29 October 2008, the Monitoring Group wrote to Africa Oil Corp. seeking to establish the accuracy of those reports.

United Nations security personnel

102. The United Nations armed Somali security guards, commonly known as "Blue Shirts", were established in 1991 by the Office of the United Nations Security

[10] Letter from Pierre Marziali, CEO of SECOPEX, to the Monitoring Group, 28 July 2008.

[11] Alisha Ryu, "Conflicting Reports Arise About Role of French Security Firm in Somalia", 20 June 2008, http://www.voanews.com/english/archive/2008-06/2008-06-20-voa64.cfm?CFID=63097984&CFTOKEN=86707889, accessed 7 November 2008.

[12] See http://www.somalinet.com/news/world/Somalia/17072.

Coordinator officers and have since become institutionalized, serving under United Nations service contracts to provide site security and armed escort services for United Nations and NGO operations. UNDP manages the contracts of 35 Blue Shirts in Mogadishu and 9 in Baidoa. The Blue Shirts are equipped with AK-47 semi-automatic rifles, which are owned and maintained by the individual guards.[13] Other United Nations agencies employ local armed guards on an ad hoc basis in Jowhar and Waajid.

103. In mid-2007, UNDP commissioned an evaluation of the Blue Shirts (as well as Special Protection Unit police units), which cast doubt on their legal status: "The Blue Shirts have no clear mandate to provide an armed security service, no rules of engagement, nor does a formal agreement exist with the Transitional Federal Government."[14] Since the Blue Shirts do not constitute part of the Somali security sector institutions, the Monitoring Group believes that they do not qualify for exemptions under Security Council resolution 1744 (2007).

III. Arms embargo violations

A. General

104. The pattern of arms embargo violations has remained fairly constant over the period of the mandate of the Monitoring Group, and appears to be broadly consistent with the findings of the previous report. The relatively low volume of arms transfers to Somalia reflects a number of factors: that the conflict is of relatively low intensity; that it is characterized by irregular warfare waged, with few exceptions, with small military formations; and the already high density of weapons in circulation in Somalia.

105. The Monitoring Group has found few indicators of escalation in the nature and scope of arms embargo violations over the past six months. Somali armed forces and groups remain in possession of fairly limited arsenals, consisting principally of small arms and crew-served infantry weapons.[15] At the low end of this range are AK-47s, pistols and hand grenades; at the high end of the range are anti-aircraft cannons, anti-tank weapons, and medium mortars. There are a small number of functioning armoured vehicles, artillery pieces and rocket artillery, which are rarely used in combat.

106. The presence of Ethiopian forces on Somali territory and its support to allied Somali groups continue to be regarded by the Monitoring Group as violations of the arms embargo. Eritrea continues to provide political, financial and military support to armed opposition groups. Yemen remains the most important source of commercial arms transfers to Somalia. And external contributions to build the capacity of the Transitional Federal Government security forces have provided an important loophole through which arms, equipment and military skills are diverted to the open market or to armed opposition groups.

[13] Letter to the sanctions Committee by UNDP Somalia, 12 November 2008.

[14] "An Evaluation of the Blue Shirts of South and Central Somalia for UNDP Somalia's Rule of Law and Security Programme", Salama Fikira Strategic Risk Management, 19 November 2007.

[15] Weapons requiring two to three persons to carry and operate.

107. One important new feature of the security environment in Somalia is the dramatic expansion of armed criminal groups, including maritime militias engaged in piracy and armed robbery at sea. Exorbitant ransom payments have fuelled the growth of these groups, including the procurement of arms and equipment and the maintenance of militia establishments in violation of the arms embargo. Although there is some evidence of linkages between piracy, arms trafficking, and the activities of some armed opposition groups, the Monitoring Group is currently more concerned about the apparent complicity in pirate networks of Puntland administration officials at all levels.

108. Another important new feature of the security environment has been the rapid evolution of improvised explosive devices, suggesting the importation of expertise and the transfer of skills through training. The conduct of five simultaneous, coordinated suicide bomb attacks in Hargeosa and Bossaso on 29 October 2008 represented a qualitative leap over previous improvised explosive device operations.

109. Other developments during the course of the mandate include reports of a small number of more advanced anti-tank weapons (contrary to previous reports, the Somalia Monitoring Group has found no evidence of functional wire-guided anti-tank weapons), small numbers of man-portable surface-to-air missiles, and the growing use of night-vision equipment.

B. Support to armed opposition groups

Eritrea

110. Eritrea's support to armed opposition groups has been extensively covered in previous reports (S/2005/625, paras. 36-42; S/2006/229, paras. 15-21; S/2006/913, paras. 15-55; S/2007/436, paras. 11-22 and S/2008/274, paras 77-84). During the current mandate, the Monitoring Group received information from a wide range of credible sources that Eritrea continues to provide support to the ARS/Asmara faction, as well as to a growing number of other armed opposition groups and sub-groups.

111. Eritrea was instrumental in the formation of ARS at a conference in Asmara in September 2007, and applied pressure to ensure that Yusuf Indha'adde would retain his position as military chief of ICU. Asmara subsequently provided a combination of political, diplomatic, financial and military support to ensure that ARS would become operational. Following the ARS split in May 2008, Eritrea has continued to host one wing, headed by Sheikh Hassan Dahir Aweys, while Djibouti has hosted the other wing, headed by Sheikh Sharif Sheikh Ahmed and Sharif Hassan. The Eritrean Government continues to provide financial support to ARS/Asmara, to deliver occasional consignments of weapons to its forces and their allies inside Somalia (see sect. D below for example, Case study: Mohamed Sa'id Atom and the Galgala Militia), and to provide Eritrean travel documents for some of its senior leaders. At the same time, the Eritrean Government has begun to develop linkages with a more diverse array of armed groups inside Somalia.

112. The Monitoring Group has received numerous credible reports from governmental sources and Somali eyewitnesses that Eritrea provides military training to armed Somali opposition groups. Training occurs at three or four principal sites and involved several hundred trainees during the course of 2008.

113. The Monitoring Group has continued to receive information indicating that deliveries of arms and ammunition by small boat, originating in Eritrea, continue to occur on a fairly regular basis. A far greater proportion of Eritrean assistance, however, now takes the form of contributions in cash or kind. The purpose of the new emphasis on cash contributions is not only to arm the opposition, but to also disarm Transitional Federal Government and Ethiopian forces by enticing them to sell their weapons, ammunitions and uniforms, or to defect entirely.

114. A confidential ARS source, who claims to have himself received cash from the Eritrean Government on several occasions, told the Monitoring Group that Asmara contributes $200,000 to $500,000 per month to ARS military operations, depending on the situation on the ground (in one particular transaction in early 2007, during peak combat operations, Indha'adde reportedly received $1 million in a single transaction). This figure is broadly consistent with the estimate of a Nairobi-based intelligence source that claims that Asmara channelled an estimated $1.6 million to armed opposition groups between January and September 2008 via Kenya alone. Other main financial channels are via Dubai, Djibouti and possibly the Sudan. Occasionally the cash is carried by one or more couriers directly to Somalia.

115. According to multiple sources, some with first-hand knowledge of the procedure, cash is either made available from an Eritrean embassy bank account in one of these locations, or hand-carried by courier from Asmara to the destination. The cash may then be sent in small amounts via Western Union or Somali hawala agencies to Somalia. Increasingly, cash is handed over to sympathetic businessmen, who use it to procure foodstuffs, second-hand clothing or electronic goods for export to Somalia. Once in Somalia, the goods are then resold to finance the armed struggle.

116. The Monitoring Group believes that Eritrean arms embargo violations take place with the knowledge and authorization of senior officials within the Eritrean Government and the ruling People's Front for Democracy and Justice (PFDJ). Operational responsibility, however, lies with the Eritrean intelligence services. According to multiple opposition and Government sources, the senior figure is Colonel Te'ame Goitom. The Monitoring Group is continuing to investigate the alleged involvement of at least five other Eritrean Government officials.

117. Eritrea is allegedly not alone in the financing of armed opposition groups, and serves as a conduit for other States wishing to channel funds for this purpose. The Monitoring Group has received as yet uncorroborated allegations concerning several States in this category and investigations are ongoing.

Yemen

118. Previous reports have extensively documented the role of Yemen as the primary market for commercial arms imports to Somalia. Although Yemeni curbs on domestic arms sales since June 2008 have somewhat reduced the volume of exports to Somalia and driven up arms prices in Somali markets, Yemen continues to be the primary commercial source of arms and ammunition for Somalia. Weapons from Yemen continue to feed Somali retail arms sales, as well as the needs of armed opposition and criminal groups. Insurgent groups in Ethiopia also procure arms and ammunition from Yemen, which then transit Somalia in violation of the arms embargo. A smaller traffic in arms and ammunition flows from Somalia to Yemen, allegedly in support of Yemeni insurgents.

119. In recent years, the Yemeni Coast Guard has become more active in the coastal waters between Aden and Al Mukalla. This appears to have had some impact on arms trafficking from the ports along this patrolled area. The absence of regular Yemeni Coast Guard patrols east of Al Mukalla, however, means that arms traffic continues unabated from these areas, mainly with the northern coast of Puntland. The authorities in Puntland and Somaliland, as well as multiple other sources interviewed by the Monitoring Group, have confirmed that maritime traffic from Yemen, across the Gulf of Aden, remains their largest single source of arms.

120. The Yemeni Government denies that large-scale arms trafficking to Somalia is taking place, and told the Monitoring Group that there have been only two interceptions of arms cargoes since 2004, including a seizure on 5 July 2008.[16] The Monitoring Group has nevertheless been able to confirm reports of arms trafficking through multiple interviews with credible sources and inspections of several consignments of arms.

121. On 17 August in Hargeisa, the Monitoring Group inspected a shipment of ammunition seized by the Somaliland authorities on 15 April 2008 in Burao. The ammunition came from Yemen and were destined to ONLF in Ethiopia. It consisted of 101 anti-tank mines, 100 hand grenades, 170 rocket-propelled grenade-7 rounds, and 170 boxes of 7.62 mm ammunition, each containing 440 rounds. The anti-tank mines were packed in sacks originally for rice from a company based in Sana'a and an investigation by the Somaliland authorities determined that the weapons had been shipped from Yemen.

C. Armed criminal groups

Piracy

122. Piracy in Somali waters has rapidly evolved over the past 12 months from a domestic nuisance, aimed mainly at illegal fishing vessels, into a sophisticated and well-organized industry whose dramatic expansion poses a growing threat to international shipping. The extraordinarily lucrative nature of piracy has transformed rag-tag, ocean-going militias into well-resourced, efficient and heavily armed syndicates employing hundreds of people in north-eastern and central Somalia. Some of these groups now rival or surpass established Somali authorities in terms of their military capabilities and resource bases. The acquisition of arms, ammunition and equipment to sustain the growth of these maritime militias almost certainly involves violations of the arms embargo.

123. International response to the Somali piracy phenomenon include Security Council resolutions 1816 (2008) and 1838 (2008), which permit States interested in the security of maritime activities to use all necessary means in the fight against piracy in Somali waters, the establishment of the Maritime Security Patrol Area by the multinational naval Combined Task Force 150 in the Gulf of Aden, and the European Union NAVCO anti-piracy initiative. The Monitoring Group believes that some leading figures in piracy syndicates are responsible for arms embargo violations and should be considered for targeted sanctions imposed by Security Council resolution 1844 of 20 November 2008.

[16] Briefing by Yemeni Government officials, Sana'a, 5 August 2008.

Factors conducive to the growth of piracy in Somali waters

124. Piracy and robbery at sea are not new to Somali waters, but they have acquired unprecedented dimensions in 2008. From just a few dozen pirates in 2006, their total numbers are now estimated at between 1,000 and 1,500, with approximately 60 small boats at their disposal.[17] The phenomenal growth of this criminal enterprise merits close examination.

125. The most prominent pirate militias today have their roots in the fishing communities of the Somali coast, especially in north-eastern and central Somalia. Over the past 18 years of conflict and absence of effective central Government, the ecology and economy of these areas have been adversely affected by years of illicit overfishing by foreign vessels and the dumping of toxic waste into Somali territorial waters. Genuine economic hardship, whether directly related to these factors or not, and a sense of grievance against foreign exploitation of Somalia's maritime resources, not only inspire many pirates, but also serve to legitimize their activities in the eyes of their communities.

126. Targets for piracy are not lacking. The Horn of Africa straddles an important sea route for vessels of all kinds, from the Mediterranean Sea, via the Suez Canal and the Red Sea, and through the Gulf of Aden to the Indian Ocean. The narrowness of the Gulf of Aden, which separates Somalia and Yemen by 170 nautical miles at its widest point and as narrow as 100 nautical miles at other points, mean that all traffic must pass within striking distance of the Somali coast, and many attacks by Somali pirates actually take place in Yemeni waters. An estimated 30,000 vessels pass through these sea lanes every year.

127. The high rewards for piracy — ransom payments are often in the millions of dollars — and the lack of accountability have also contributed to its rapid growth. Puntland's security sector is weak and central Somalia has no capacity for law enforcement at all. The total Puntland budget for 2008 is only about 20 per cent of projected piracy revenues for over the same period, suggesting a seriously unequal contest. Most foreign Governments are unable to arrest and prosecute pirates because of jurisdictional barriers. In sum, it has become a low-risk activity with high returns.

128. The costs of piracy for Somalia and the international community have been significant. *Lloyd's List*, the maritime industry newspaper, forecasts that ransom payments this year will exceed $50 million, and insurance premiums for commercial shipping in the Gulf of Aden have increased tenfold over the course of the past year.

129. As a result, the activities of Somalia's maritime militias threaten the delivery of humanitarian assistance at a time when an estimated 2.5 million Somalis require food aid, and are driving up the costs of commercial imports of foodstuffs and other essentials.

130. The situation has become so serious that major shipping companies are currently negotiating with charterers to avoid transiting the Gulf of Aden and the Red Sea/Suez Canal altogether and instead redirecting their ships via the Cape of Good Hope. Such measures may provide only temporary respite: according to Robert Davies, a kidnap and ransom underwriter at Hiscox Insurance Company

[17] Turnover among their rank and file is very rapid, with many pirates engaging in only one successful operation before retiring to enjoy their earnings.

Limited (Lloyd's insurer), "the success of the pirates off Somalia is also a key factor behind the rise in attacks elsewhere, in areas such as Nigeria and South America".[18]

Pirate organization and operations: maritime militias

131. Somalia maritime militias are profoundly anchored in the coastal communities of north-eastern and central Somalia, and their organization reflects Somali clan-based social structure. In contrast to media reports that portray the pirates as professional, tightly organized and well-trained organizations, they are for the most part loosely organized and poorly trained, and their membership is fluid. Their strengths are the depth of their motivation, and their adherence to a common code of conduct, or *xeer*.

132. Broadly speaking, there are currently two main networks: one based in Puntland (north-eastern Somalia) comprising mainly members of the Majerteen clan, and one based in central Somalia, consisting primarily of members of the Habar Gidir clan. The most important pirate group in Puntland is based in Eyl district, which is inhabited mainly by the Isse Mohamud sub-clan, but other groups also operate from Bossaso, Aluula, Haafun, Bayla, Qandala, Bargaal and Gara'ad.[19] The central Somalia piracy network operates from Harardheere district, as it is dominated by the Saleebaan sub-clan of the Habar Gidir. Involvement in piracy activities, however, extends far beyond these sub-clans. To a certain extent the two networks overlap and cooperate.

133. The NATO Shipping Centre describes piracy operations in the following terms:

(a) The Gulf of Aden and Mogadishu Pirate Attack Zones (PAZ): Over 60 vessels have been attacked in these two areas in 2008. These zones are served by "mother ships" based in Bossaso and Mogadishu in Somalia, and Al Mukallah and Al Shishr in Yemen;

(b) The Eyl and Hobyo Ransom Area (RA): ships seized in the Gulf of Aden and Indian Ocean are anchored near Eyl and Hobyo. Onshore support networks keep the pirates and hostages supplied with food, water and *qaad*, pending ransom payment and release;

(c) The Harardheere Pirate Base: this base is largely under the control of the Suleiman/Habar clan linked to piracy and also contains landing points notorious for arms smuggling activities;

(d) Aluula Pirate Refuge Port: Aluula is sometimes a first port of call and refuge for pirates with vessels seized from the Gulf of Aden. Pirates heading for the main pirate home port bases in Eyl, Hobyo and Harardheere use this port for resupply. Smaller yachts are brought here and the crews taken ashore to be held for ransom. Aluula is one of the few coastal villages in this area with a relatively good flat dirt airstrip.

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[18] Jerry Frank, "Ransom for seafarers could rocket to $50m", 15 September 2008, available at www.lloydslist.com/ll/news.

[19] The Eyl group is expected to earn approximately $30 million in ransom payments this year. At the time of writing, the group was holding six vessels and their crews: MV *Great Ocean*, MV *African Sanderling*, MV *Stolt Valor*, MV *Genius*, MV *Action* and MT *Yenegoa Ocean*. The Haradheere Group was holding MV *Faina*, MV *Centauri* and MV *Captain Stefanos* and their crews.

Leadership and modus operandi

134. The evolution of the Puntland and central Somalia piracy networks owes much to the relationships between a small number of key figures. The Monitoring Group has already described the involvement in piracy of Garaad Mohamud Mohamed and Mohamed Abdi Hassan "Afweyne", both leaders of the central Somalia network based in Harardheere.[20] Information received by the Monitoring Group indicates that they were joined in 2005 by Farah Hirsi Kulan "Boyah", a long-term acquaintance, and perpetrated several acts of piracy together.

135. Their activities were interrupted in 2007 by a clash between their respective militias, which resulted in a number of deaths, and Boyah's group returned to Puntland, where it established a separate network. In early 2008 the two groups were reconciled and resumed their partnership, with Eyl as the main base of operations. Monitoring Group sources, as well as NGO reports, identify Boyah as a principal organizer and financier of pirate activities.

136. In many respects, the organization of piracy operations is guided more by the principles of private enterprise than military strategy and planning. Financiers, including Boyah and a number of other prominent business and political figures with fisheries assets, advance the seed money for the maritime militias to function. Typically they provide the boats, fuel, arms and ammunition, communications equipment and the salaries of the pirates, in order that they scout and seize vessels. Increasingly, these advance teams appear to be benefiting from intelligence provided by contacts who monitor major ports in neighbouring countries.

137. Pirates are also increasingly resorting to the use of "mother ships" in order to extend the range and endurance of their operations. Some vessels (particularly fishing vessels) have been hijacked with the sole intention of being used as mother ships. For instance, the attack on the French luxury yacht, *Le Ponant* on 4 April 2008, was preceded by the hijacking of the Russian made trawler, FV *Burum Ocean*, some 57 nautical miles south of the Yemen coast. The trawler was reportedly taken to Aluula Puntland, refuelled and used as a mother ship to attack the *Le Ponant* and later abandoned. In other cases, such as the MT *Yenegoa Ocean*, hijacked on 4 August 2008, vessels whose owners are unable to meet ransom demands are used as mother ships until ransom is paid. According to the NATO Shipping Centre's description of piracy operations in the Gulf of Aden, mother ship supply ports exist at Al Mukallah and Al Shishr, Sayhut, Nishtun and Al Ghaydah on the Yemeni coast and Bossaso, Aluula and Mogadishu on the Somali coast.

138. Whether from mother ships or from the shore, attacks are usually conducted with three or four fibreglass speedboats equipped with powerful outboard engines, each carrying four to eight pirates. Arms seized by the Danish naval ship *Absalom* on 19 September 2008 provide a typical sample of the weapons employed by pirate teams: Kalashnikov assault rifles, rocket-propelled grenade-7V launchers and extra grenades, Tokarev TT-33/7.62 mm pistols, a French LRAC F1/89 mm anti-tank rocket launcher, M76 rifles, and extra magazines. The pirates were also in possession of mobile phones, a GPS, and extra fuel tanks. Other equipment routinely carried by pirates include small boat radars that help them to detect targets, particularly at night, and to keep track of the vessel traffic around them, high-power binoculars, grappling hooks and telescopic aluminium ladders.

[20] See S/2008/274, paras. 64-66.

139. The successful seizure of a vessel marks a new phase in a piracy operation. The first pirate to physically board the ship may "claim" it in the name of his (usually clan-based) militia group, and is rewarded with a special share of the ransom or — in some cases — a Land Cruiser. If they have not done so already, the financier must identify a sponsor (or team of sponsors) who will underwrite the costs of the operation in exchange for a share of the ransom. Once this is achieved, the financier directs the captured vessel to a "refuge" port, where his ground team can ensure provisions and local protection pending payment of ransom. The team may also include negotiators with foreign language skills, local officials and elders. Eventually, a host of other actors also become associated with the operation: senior government officials who provide political cover and protection, money launderers who help to transfer ransom payments or exchange unwanted currency notes (i.e. pre-2000 series United States dollars), and other entrepreneurs seeking to cash in on a windfall.[21]

140. Ransom payments are now commonly delivered directly to the pirates on board the captured ship. Accounts of the distribution formula vary, but a source close to the Eyl network informed the Monitoring Group that the breakdown is typically as follows:

Typical distribution of ransom payments

Maritime militia	30 per cent	Distributed equally between all members, although the first pirate to board a ship receives a double share or a vehicle. Pirates who fight other pirates must pay a fine. Compensation is paid to the family of any pirate killed during the operation.
Ground militia	10 per cent	
Local community	10 per cent	Elders, local officials, visitors, and for hospitality for guests and associates of the pirates
Financier	20 per cent	The financier usually shares his earnings with other financiers and political allies.
Sponsor	30 per cent	

Piracy and the Puntland administration

141. Allegations of complicity in piracy activities by members of the Puntland administration are commonplace and well substantiated. Puntland President Adde Musa told the Monitoring Group that he has sacked several officials, including Mohamed Haji Aden, a Deputy Chief of Police, for involvement in piracy. On 14 October 2008, in an interview with a local radio station, the Mayor of Eyl, Abdullahi Said Aw-Yusuf (an official with extensive first-hand knowledge of pirate operations) alleged that ministers and senior police officials of the Puntland

[21] The Monitoring Group has learned of several cases in which women in the diaspora offer marriage or false documentation to a pirate, in exchange for cash, so that he may obtain a visa to Europe or North America.

administration were complicit in the surge in piracy. The Monitoring Group has independently received credible allegations concerning the involvement of a number of key figures in the Puntland administration, including several ministers, which it is continuing to investigate.

142. In late 2008, the Puntland authorities appeared to be taking more aggressive steps to deal with piracy. President Adde Musa has told the Monitoring Group that he is actively seeking assistance in building the capacity of the Puntland Coast Guard. The Puntland security forces have conducted at least two operations in recent months to free hijacked ships. On 18 September 2008, two pirates were arrested on a hijacked yacht off Las Qoray, which had weapons and equipment used to hijack vessels, and on 14 October 2008, Puntland forces again succeeded in freeing MV *Awail*. But the determination of the Puntland administration to confront pirates appears to be selective, and the Monitoring Group remains convinced that a number of senior officials, including prominent Ministers, have been corrupted.

Piracy links to armed and criminal groups

143. Not surprisingly, there appears to be an intersection between piracy and other criminal activities, such as arms trafficking and human trafficking, both of which involve the movement of small craft across the Gulf of Aden. One sub-group of the Puntland network, based in the Bari region, allegedly uses the same boats employed for piracy to move refugees and economic migrants from Somalia to Yemen, bringing arms and ammunition on the return journey.

144. Likewise, members of the Harardheere group have been linked to trafficking of arms from Yemen to Harardheere and Hobyo, which have long been two of the main points of entry for arms shipments destined for armed opposition groups in both Somalia and Ethiopia. Numerous reports received by the Monitoring Group link Yusuf Mohamed Siyaad "Indha'adde", military chief of the ARS/Asmara faction, to the activities of the central Somalia pirate network, to arms imports through Hobyo and Harardheere, and to the kidnapping of foreigners for ransom (see paras. 145-147 below).

Kidnapping

145. On 25 September 2008, Somali pirates captured the MV *Faina*, a Belize-flagged Ukrainian vessel carrying a cargo of arms and ammunition for discharge at the Kenyan port of Mombasa. The cargo comprises:

- 33 T-72M1 main battle tanks, with spare parts
- 6 ZPU-4 14.5 mm air defence cannons, with spare parts
- 6 BM-21 122 mm multiple rocket launch systems on Ural wheelbases, with spare parts
- 36 RPG-7V launchers and spare parts.

146. The Monitoring Group believes that, as of the time of writing, none of the cargo has been removed from the ship. However, since the *Faina* appears to have been hijacked by the central Somalia piracy network, the Monitoring Group is concerned that any ransom payment may be shared with local armed groups, including possibly forces linked to Yusuf "Indha'adde".

147. On 22 September 2008, two aid workers, who worked for Médecins du Monde, were abducted from Ethiopia, when they were visiting villages along the border with Somalia. Although initially seized by freelance bandits from the Marehaan clan, the Monitoring Group believes that the hostages were transferred almost immediately — probably in exchange for payment — into the custody of Habar Gidir Ayr militia linked to Indha'adde, near the town of Guri'eel in Galgaduud region. The kidnappers have made a public demand for $2 million in ransom. Indha'adde has denied involvement.

D. Case study: Mohamed Sa'id "Atom" and the Galgala militia

148. Since 2006, a new armed group has emerged in the region of eastern Sanaag, in the largely ungoverned area disputed by the Somaliland and Puntland authorities. The militia is led by Mohamed Sa'id "Atom", and comprises as many as 250 fighters. The group has been implicated in incidents of kidnapping, piracy and terrorism, and imports its own weapons, in violation of the arms embargo.

149. In 2006, an oil company granted a concession by the Puntland authorities began exploratory activities to the west of Bossaso, known as Majayahan. Residents of the area objected to what they perceived as an unjust exploitation of their resources by the ruling elite in Bossaso, and soon resorted to armed resistance. A businessman and arms dealer from Majayahan named Mohamed Sa'id "Atom" lent his support to the resistance and rapidly emerged as a prominent local military leader.

150. Atom's force has since established itself as the principal military presence in this remote area, with its primary base near the village of Galgala. A second base has been reported near Badhan. The activities of Atom's militia represent a growing threat to the stability and security of the area. Information received by the Monitoring Group indicates that Atom is aligned with Shabaab, and may take instructions from Shabaab leader Fu'aad Mohamed Khalaf. His forces have been implicated in the kidnapping of a German aid worker near Eerigaabo in February 2008, in the kidnapping of two Somalis near Bossaso, and in a bombing of Ethiopian migrants in Bossaso on 5 February 2008, which killed 20 people and wounded over 100 others. Atom's forces may also have played a secondary role in the kidnapping of a German couple captured by pirates in June 2008, dispatching forces to protect them from the Puntland and Somaliland authorities.

151. In addition to the maintenance of a criminal militia, Atom is also directly responsible for arms embargo violations. Information from a number of sources indicates that his forces receive arms and equipment from Yemen and Eritrea. An eyewitness described six such shipments during a four-week period in early 2008, each sufficient to fill two pickup trucks with small arms, ammunition and rocket-propelled grenades. According to a Bossaso businessman familiar with the arms trade, Atom's consignments do not enter the arms market, suggesting that they are either retained for the use of his forces or are transferred to recipients in southern Somalia or eastern Ethiopia.

IV. Support to the Somali security sector

A. Need for a norm of compliance

152. Successive reports of Panels of Experts and Monitoring Groups have asserted that the "general and complete arms embargo" on Somalia established by Security Council resolution 733 (1992) has been persistently and flagrantly violated. Sixteen successive years of violations without accountability have contributed to an international norm of non-compliance.

153. With the adoption of Security Council resolution 1844 (2008), the prospect of genuine accountability for arms embargo violators has been introduced for the first time. However, the Monitoring Group also believes that the exemptions to the arms embargo established by Security Council resolutions (1725 (2006), 1744 (2007), 1772 (2007)) also provide an opportunity for Somalia's international partners to demonstrate and reinforce a norm of compliance through adherence to these procedures. Security Council resolution 1356 (2001) foresees the first exemptions for protective equipment for aid agencies, and, under advance notification, for "non-lethal military equipment" for humanitarian or protective use. Resolutions 1744 (2007) and 1772 (2007) introduced specific exemption provisions to the arms embargo, describing the process required for partners wishing to build the capacity of Somali security sector institutions.

154. The interpretation of the Monitoring Group of the above resolutions is that all security sector support activities require the authorization of the sanctions Committee. Unfortunately, that has not been the case. In 2007, the sanctions Committee received only two requests for exemptions to the arms embargo (related to protective vests for humanitarian aid workers), despite the fact that a number of Governments were openly providing training, material and/or financial support to Somali security sector institutions. Many Governments and organizations seemed not to be aware of the need to seek an exemption to the arms embargo or took it upon themselves to consider their activities exempt, rather than deferring to the judgement of the sanctions Committee.

155. The Monitoring Group considers the practice of "self-exemption" from the arms embargo to be problematic. The Ethiopian Government, for example, declared its intervention in Somalia exempt from the embargo since the Transitional Federal Government had authorized the ENDF deployment, despite the fact that the Transitional Federal Government lacks authority to exempt itself or any other party from the embargo. Likewise, although at least five Governments provided training for Transitional Federal Government security forces during the course of 2007 and 2008, only one notified the sanctions Committee of a specific training course. In its report of April 2008 (S/2008/274), the Monitoring Group raised serious concerns about the growing militarization of Somali police forces as they became drawn into counter-insurgency operations. Nevertheless, donors continued to provide support to the police through the UNDP Rule of Law and Security Programme, without notification to the sanctions Committee on the grounds that the police was a civilian force.

156. Since, in the absence of notification to and authorization from the sanctions Committee, such activities contravene the arms embargo, the Monitoring Group is obliged to include mention of them in this report. However, the Monitoring Group

recognizes that a distinction must be drawn between activities intended to contribute to the stabilization of Somalia — such as non-lethal support to the police capacity — and which are eligible for exemption, and those that would not be eligible for exemption under any circumstances, such as training in the fabrication of improvised explosive devices.

B. Security sector training inputs

157. The following table identifies recent and ongoing external training inputs to Somali security sector institutions:

Security sector training inputs

Somalia	*Component of the security sector*	*Partner*
Central/South or Transitional Federal Government	Immigration/Intelligence	IOM United Kingdom
	National Security Agency	Intergovernmental Authority on Development Ethiopia United States of America
	Military	Ethiopia
	Police	Ethiopia UNDP Intergovernmental Authority on Development Uganda
	Coast Guard	No information available
Puntland	Immigration/Intelligence	IOM United Kingdom United States of America
	National Security Agency	United States of America
	Military	Ethiopia
	Police	UNDP Ethiopia Intergovernmental Authority on Development
	Coast Guard	No information available

Somalia	*Component of the security sector*	*Partner*
Somaliland	Immigration/Intelligence	IOM
	National Security Agency	United Kingdom United States of America
	Military	Ethiopia
	Police	UNDP
	Coast Guard	No information available

C. Ethiopia

158. The Monitoring Group considers Ethiopia's presence in Somalia and its support to Transitional Federal Government security forces to represent egregious violations of the arms embargo (see case study in sect. D following). In addition, Ethiopia continues to provide arms and military materiel to allied authorities and militias. The Monitoring Group has received multiple, credible and mutually corroborating reports that, in late August 2008, a convoy of Ethiopian military vehicles crossed the Somali border near Galdogob, Somalia, and delivered a consignment of small arms and ammunition to Puntland authorities in Gaalkayo. The consignment reportedly included between 3,000 and 5,000 AK-47 assault rifles and ammunition, as well as smaller quantities of other miscellaneous items.

159. Following the ouster of Barre Adan Shire "Hiiraale" forces from Kismayo in August 2008, Ethiopia also began arming and training his militia forces in Buulo Hawa and Doolow districts of the Gedo region. Multiple independent and corroborating reports from media, local officials and NGOs confirm that cross-border troop movements, training and provision of weapons have taken place. Officials on both sides of the Somali/Kenya border have expressed the fear that these developments will aggravate the inter-clan conflict between the Garre and Murille communities in north Eastern Province, Kenya (see section VII, para. 249 below).

D. Case study: Ethiopian provision of training and equipment to Transitional Federal Government security forces

Quest for support for police training

160. In November 2007, the Ethiopian Government contacted donors looking for funding for a training programme for Transitional Federal Government police recruits. Some donors expressed concerns about the undisclosed training curriculum and would have preferred a joint training programme under the auspices of UNDP. In early January, the Ethiopian Government nevertheless initiated a police training programme with a first intake of 1,000 Somali recruits in the Billatie military base. Some 2,200 Transitional Federal Government military recruits were already undergoing a nine-month training programme at the same base.

161. At the end of February 2008, the Ethiopian Ministry of Foreign Affairs sent a project document and funding request to the British Government. The project

envisaged a six-month training course for 10,000 Somali police, but did not address their subsequent integration into the Somali police force. The description of the training curriculum is vague, and makes reference in several instances to counter-terrorism and counter-insurgency. At a briefing for donors on 3 April, a senior official of the Ethiopian Ministry of Foreign Affairs further stated that the police should have a capacity for military engagement, although operating with discipline and restraint.

162. Subsequent requests by donors and UNDP to inspect the training course on location were rejected by the Ethiopian Government. They were, however, invited to attend the graduation ceremony that took place on 5 July 2008. An observer from the United Nations Political Office for Somalia (UNPOS) attended the ceremony, and reported in positive terms on the training programme. During the graduation ceremony, the recruits demonstrated skills in physical exercise, martial arts, riot control and counter-terrorism.

Deployment of the newly trained police and military forces

163. The Ethiopian Government provided all trainees with uniforms and individual weapons in preparation for their deployment to Somalia. The military and police contingents travelled in joint convoys from the Ethiopian border to Baidoa. The Ethiopian-trained military contingent remained under Ethiopian Command. It is unclear under which command the Ethiopian-trained police contingent has been operating.

164. According to Somali media reports, a convoy of Ethiopian-trained Transitional Federal Government troops, escorted by Ethiopian soldiers, was attacked on 15 July at Berdale, in the Bay region, while travelling to Baidoa.[22] On 16 July, the United Nations confirmed the arrival in Baidoa of approximately 2,500 Transitional Federal Government "soldiers". On 18 July, the Government of Ethiopia stated in a press release that more than 2,300 newly trained Transitional Federal Government forces had arrived in Baidoa after completing their training in Ethiopia; the recruits were attacked by Shabaab on their way.[23] A military contingent subsequently left for Mogadishu on 22 July, and a police contingent followed on 8 August.

165. On 26 July, the Transitional Federal Parliament approved the deployment of 300 newly trained police to Baidoa, and the Speaker of the Transitional Federal Parliament called on the Government to pay their salaries. In an address to the new recruits, Speaker of Parliament Adan Mohamed Nur "Madobe", and Minister for Civil Aviation and Transport Mohamed Ibrahim "Habsade" urged them to take actions against the insurgents.[24]

166. According to United Nations and NGO reports, Ethiopian-trained troops also arrived in Afgooye on 26 July, took control of the town and began to forcefully disarm the district police force, which resisted. In the resulting clashes, two police officers and a soldier were killed and all businesses in Afgooye town were closed. A second armed confrontation in Afgooye was reported on 8 August between new

[22] See www.garoweonline.com/artman2/publish/Somalia_27/13_killed_in_Somalia_clashes.shtml, accessed 21 November 2008.

[23] A Week in the Horn, 18 July 2008.

[24] Somali Speaker urges new police force to fight insurgents, translation of report by privately owned Somali Radio HornAfrik, 28 July 2008.

Transitional Federal Government Police units moving from Baidoa to Mogadishu and the local police force. Six people were killed and seven injured, mainly civilians. On 9 August, the Commander of the Ethiopian-trained police unit, Major Ahmed Ali Ateeye, died following an attack in the same area.

167. By early August 2008, independent reports indicated that as many as 253 newly trained police officers had already deserted. On 14 August, United Nations and NGO reports concurred that a group of Ethiopian-trained security forces had defected, and attacked the Lower Shabelle security forces in the Ma'alim Osman village. Further desertions were reported on 6 September.

Ethiopian police training, donor funding and the United Nations arms embargo

168. The Monitoring Group is unaware of any notification provided to the sanctions Committee or of any exemption granted in respect of training, the provision of weapons or the delivery of the individual weapons provided to the trainees. These are very strong grounds for believing that a violation of the arms embargo has taken place.

169. On 30 July 2008, a senior European Commission official wrote to the Secretary-General urging the United Nations, through UNDP, to extend the payment of police stipends to 4,000 Ethiopian trained police and former police now remobilized. The Monitoring Group is unaware of the current status of that request. However, in the absence of authorization from the sanctions Committee, the Monitoring Group believes that such financial support would constitute a second embargo violation.

E. Support to the Transitional Federal Government

170. External support to the Somali security sector began in 1999 with a disarmament, demobilization and reintegration programme in Somaliland. In 2001, UNDP started to train police recruits in Somaliland. In addition to programmes for Somaliland, a new impetus in support followed the establishment of the Transitional Federal Government in 2004, and training programmes were initiated in Puntland in 2005, followed by ones in south central Somalia in 2007. The following chart focuses on training inputs during 2007 and 2008.

Pledged training

171. The Monitoring Group is aware of the following inputs with respect to training provided to the Somali security sector.

2001-2007	UNDP Somalia	2 776	Number of officers trained according to UNDP and under stipends up to December 2007, including 1,833 recruits trained in 2007 (in Lafole, Labatanjirow, Armo)
2007	IGAD/Capacity-building Programme against Terrorism (ICPAT) and East African Police Chiefs Cooperation Organization (EAPCCO)	30	Four weeks classroom counter-terrorism training for police officers, Addis Ababa, 22 October-16 November 2007

2007-2008	Egypt	17	Invited for courses at the African Centre for Crime Prevention, Research and Studies: 1-2 Somali participant per course — list of trainees shared with the Monitoring Group on Somalia
2007-2009	Ethiopia	60	Police management certificate (35), 2-year diploma (15) and 3-year degree (10)
2007-2008	Ethiopia	996	Six-month specialized training in Billatie, Ethiopia; graduation ceremony shared with 2,300 military recruits; 996 police officers received uniform and individual weapon
2007-2008	UNDP Somalia	350	Four days weapon handling and safety training for Police Special Protection Unit in Somaliland (to June 2008); one day training was given in Puntland at the second part of 2008
2008	UNDP Somalia/Uganda	45	Training for Police Station Commanders in Uganda, June 2008
2008	UNDP Somalia	550	Refresher courses for the Special Protection Unit in Somaliland (350); Special Protection Unit training in Puntland (120); Refresher courses for the Special Protection Unit in Puntland (80)

172. The following inputs have also been pledged. As yet, no notification has been made to the sanctions Committee:

(a) Uganda: On 16 August 2007, a Ugandan Army spokesman stated that Uganda would send 250 military officers to Somalia to train the Transitional Federal Government army, as a bilateral action in addition to the Ugandan participation in AMISOM.[25] On 27 September 2007, General Katumba Wamala, commander of Uganda's ground forces, told reporters that the deployment of military trainers was still on, but that the timetable may have been delayed because of "logistical requirements".[26] To the Monitoring Group's knowledge, that training has not yet taken place;

(b) Kenya: On 8 October 2008, the Minister for Foreign Affairs of Kenya declared in a television interview that Kenya had offered to train Somali security forces in Kenya. "We have offered that we will train 6,000 to 10,000. We have talked to our friends so that it is team spirit in terms of support for funding. We will as a government offer one of our training institutions where we will train them."[27] The Monitoring Group has advised the Kenyan Government that any training should be notified in advance to the sanctions Committee.

[25] http://www.globalsecurity.org/military/library/news/2007/08/mil-070816-rtrnl02.htm.

[26] http://www.alertnet.org/thenews/newsdesk/L27685705.htm.

[27] http://allafrica.com/stories/200810110272.html.

F. Unintended consequences of support to the security sector

173. Irrespective of whether or not authorization has been granted by the sanctions Committee, diversion of resources intended to support the Somali security sector represents a major loophole in the arms embargo. The Monitoring Group estimates that as much as 80 per cent of the international investment in building the Transitional Federal Government security forces has been diverted to purposes other than those for which it was intended. The Monitoring Group believes that such consideration should be taken into account by Governments planning training programmes, and underscores the need for the sanctions Committee to be notified in advance of any planned security sector support.

Defections, desertions, sale of weapons, uniforms and equipment

174. Previous Monitoring Group reports have highlighted the sale of weapons by Transitional Federal Government security officials. During its current mandate, the Monitoring Group continued to receive information about the sale of arms, ammunition and uniforms by military and police officers. In addition to direct sales through arms dealers in Mogadishu, one common technique involves the declaration of ammunition "expended during combat", which has in fact been sold for cash.

175. A far larger problem involves the desertion and defection of trained Transitional Federal Government security personnel. The Ethiopian Government, which was the single largest provider of training, arms and equipment to the Transitional Federal Government, estimates that of a total 17,000 security personnel trained, roughly 3,000 (17 per cent) currently remain effective.

176. On a smaller scale, UNDP reported in January 2008 that 225 police officers whom it had trained could not be traced, and estimated that 40 per cent of trainees had deserted by November 2008. According to media reports and a senior Transitional Federal Government source, at least several hundred such trainees have joined armed opposition groups, often taking their arms, uniforms and vehicles with them.

177. Reports of militia dressed in Transitional Federal Government uniforms extorting money, telephones and other belongings from civilians, or involved in gross human rights abuses, have increased during the course of the current mandate. The Monitoring Group has received detailed and credible information about numerous such incidents, including notable events on 11 July, 30 August and 12 September. However, given the rate of attrition among Transitional Federal Government forces, it is not possible to determine whether these acts are carried out by serving or former personnel.

Capture of weapons and equipment by armed opposition groups

178. Weapons, military equipment, uniforms and vehicles captured in combat from Transitional Federal Government security forces are an important source of supply for armed opposition groups.

179. Videos released by Shabaab showed its forces taking possession of significant quantities of arms and ammunition abandoned by Government troops during the brief seizure by Shabaab forces of the Bale Dogle airport on 25 January 2008, and Dinsoor on 24 February.

180. On 3 June 2008, ICU militia seized large volumes of equipment, including military and police uniforms from a Transitional Federal Government military base at Manaas, near Baidoa. On 9 June, the Huriwaa police station was attacked and all equipment taken by the attackers. On 10 June, the Karaan police station, in north Mogadishu, was raided by Shabaab forces, who seized one police vehicle, three AK-47s and ammunition. On 20 September, ICU militia captured the Transitional Federal Government Daynuunay military camp near Baidoa, claiming to have seized large quantities of weapons and ammunition in the process.

181. The Monitoring Group has also received numerous credible and date-specific reports about killings of Transitional Federal Government police officers, whose weapons and uniforms were removed by their assailants.

Resources intended for civilian use diverted to military purposes

182. A large proportion of external assistance to the Transitional Federal Government security sector is intended for civilian purposes, primarily policing. For this reason, many Governments and agencies believe that the arms embargo does not apply to their contributions, and therefore fail to notify the sanctions Committee. In reality, the resources donated for such purposes are often put to military or paramilitary use.

183. A key problem is the ambiguity concerning the identity and role of the Somali national police force. The Monitoring Group has identified at least three different police forces operating in southern Somalia, nominally under Transitional Federal Government auspices. The 2,775 police officers trained and financed by UNDP constitute one component. The two others are the newly Ethiopian trained police contingent, and the "regional" police forces (categorized in sect. II.F. above as "irregular" forces). Media and other open source reports from Mogadishu typically fail to distinguish between police, military and other militias, creating additional confusion. In a letter dated 18 December 2007 to the Prime Minister of the Transitional Federal Government, the United Nations Resident and Humanitarian Coordinator stated:

> "... it is well known that there are different security forces operating under the name of the Police and this is creating confusion. This is making the issue of police accountability and transparency problematic. The donors and UNDP would like to know how the Transitional Federal Government plans to resolve this issue and ensure accountability."

184. Accountability of the police force has been further complicated by the deterioration of security conditions in southern Somalia during the course of 2008, making international monitoring virtually impossible.

185. It is nevertheless clear from the Monitoring Group investigations that all components of the Somali police are routinely engaged in counter-insurgency operations, often employing military hardware in urban combat. United Nations and NGO reports make references of the use by police of heavy machine guns and rocket-propelled grenade launchers. The Monitoring Group has recorded several such battles, including in the following places:

- Galbeed Police Station, Dharkeynley district, Mogadishu (1 June)
- Dabakayo Madow, Dharkeynley district, Mogadishu (4 June)
- Guulwadayaasha area, Hawlwadaag district, Mogadishu (17 September)

186. Equally disturbing are reports that equipment and vehicles donated to the Somali police force have on several occasions been appropriated by armed opposition groups. At least two police vehicles supplied by UNDP are now in the hands of armed opposition. In addition, on 21 June in the southern town of Dinsoor, Shabaab forces seized a generator and two motorbikes donated by UNDP to the town administration.

187. It is the view of the Monitoring Group that the militarization of the Somali police renders it subject to the arms embargo, and requires that any and all external assistance to this force be authorized by the sanctions Committee. Failure to enforce the exemptions procedure in this case has established a serious loophole in the arms embargo that forces on all sides of the conflict have been able to exploit.

G. Sensitization efforts of the Monitoring Group on Somalia

188. Since external assistance to the security sector is eligible for exemption from the arms embargo, the Monitoring Group undertook to remind contributors of the need to seek exemptions from the sanctions Committee and to regularize their contributions, rather than to cite them immediately as having violated the arms embargo. In a series of briefings, mainly during the first month of the mandate, the Monitoring Group addressed members of the Security Council, Somali Government officials, international organizations and representatives of donor governments. We explained the procedures established by the Security Council for obtaining exemptions, as well as the need for a "norm of compliance" in order to strengthen the effectiveness of the arms embargo.

Trends in compliance: number of notifications (versus previous six months)

189. The Monitoring Group believes that its sensitization efforts have been responsible for a positive trend in notifications to the sanctions Committee by international partners in the Somali security sector.

190. In 2007, the sanctions Committee received only two notifications, one in August and the other in December, relating to protective equipment for humanitarian staff, which were designated exempt by Security Council resolution 1356 (2001).

191. In 2008, at the time of writing this report, a total of 14 notifications had been addressed to the Security Council. Six notifications related to equipment destined for demining programmes. Three related to armoured cars for United Nations staff. Two pertained to protective equipment for United Nations staff. Three involved non-lethal capacity-building training, programming and funding for the security sector.

192. The Monitoring Group is concerned, however, that the vast majority of inputs to the security sector, notably for military and policing activities, continues in lieu of authorization from the sanctions Committee.[28]

[28] After several months of dialogue between the Monitoring Group and UNDP Somalia, the latter informed, on 12 November 2008, the Sanctions Committee of its ongoing Rule of Law and Security Programme/Law Enforcement component and past training and support activities to the Somali police.

V. Financing of embargo violations

A. General

193. The financing of embargo violations continues to reflect the absence of functioning government institutions or effective regulation of economic activity. Since the last report, the Monitoring Group has observed a steady decline in the fiscal oversight and capabilities of the Transitional Federal Government, whereas armed opposition groups have expanded the areas under their control, acquiring possession of strategic economic assets, and access to substantial revenue flows. As the Transitional Federal Government loses authority and cohesion, its leaders are squandering resources while its military assets are degraded and sold. Armed opposition groups, on the other hand, continue to mobilize resources quite effectively, while augmenting their military capability, often with arms and equipment acquired from the Transitional Federal Government.

B. Transitional Federal Government: corruption and loss of authority

194. Not only has the territory controlled by the Transitional Federal Government been shrinking; over the past 12 months the Monitoring Group has also witnessed a steady degeneration of the internal cohesion of the Transitional Federal Government, and the collapse of its fiscal oversight mechanisms. A Select Committee of the Transitional Federal Parliament appointed in April 2008 to investigate the collection and management of government revenue concluded: "Indeed, there is no government system".[29]

195. Among the gravest findings of the Committee's report were the following:

- There is no unified system of issuing necessary documents/registers for revenue collection or expenditure payments
- Most revenue-generating ministries or departments have their own accounts and have no relationship with the Ministry of Finance
- Government departments do not properly deposit what they have collected, which instead has been misused and fallen into the pockets of a few individuals
- Government property (both mobile and immobile) was appropriated for use by private individuals
- About 25 per cent of what has been collected from the port is being deposited for the Government, and even that has been mismanaged.

196. With respect to the security sector, the Committee noted:

- The Government is not aware of what is being imported through the ports and airports, which constitutes a security risk for the nation

[29] "A brief note on the report of the Finance Committee of the Transitional Federal Parliament on the state of State finances", report of the 7-member Transitional Federal Parliament Finance Select Committee.

- Most of the Government forces have left their jobs owing to lack of maintenance.

Ministry of Finance and Central Bank of Somalia

197. The Ministry of Finance and Central Bank of Somalia are supposed to be pivotal in the direction of government revenue collection, but the two institutions appear to exist in name only. As a result, parallel revenue collection and appropriation structures have emerged, under the control of powerful Transitional Federal Government officials or allies.

198. For example, a senior official of the Central Bank of Somalia interviewed by the Monitoring Group stated that a printing press for Somali Shillings, with no links to the Central Bank, is kept at the compound of the President of the Transitional Federal Government — a claim that the Monitoring Group has heard independently corroborated by several sources. He further asserted that printing of Somali currency is also conducted by private businessmen, including some linked to armed opposition groups. The Monitoring Group has been able to verify the latter claim, with the assistance of Transitional Federal Government security officials.

Revenue from Mogadishu Port

199. Investigations by the Monitoring Group indicated that management of Mogadishu Port has been effectively "privatized". Numerous independent eyewitness accounts provided by Government officials, civil servants and businessmen have confirmed that port revenues are controlled, without oversight, by two individuals — one from the port administration and one from the Ministry of Finance, who then disburse funds on a discretionary basis. The two men are reportedly shielded from interference by a senior police officer.

200. The Monitoring Group has in the past received credible, but as yet uncorroborated, information linking these port officials to arms embargo violations. At the same time, the Monitoring Group is concerned by reports that one of these officials has appropriated two pickup trucks provided by UNDP for police purposes, which have been mounted with guns as "technical" vehicles and are driven by members of his clan wearing police uniforms.

C. Case study: $32 million donation from the Kingdom of Saudi Arabia

201. During March and April 2007, the Government of Saudi Arabia allocated $32 million to the Transitional Federal Government for national reconciliation in Somalia. However, from the documents obtained by the Monitoring Group and presented to the sanctions Committee in April 2008, some funds appear to have been spent on military items, including $120,000 for military uniforms; $20,000 for heavy weapons including anti-aircraft cannons; $5,000 to Presidential Guards for expenses incurred during the recovery of heavy weaponry; and $3,520,000 to unspecified parties in Puntland.[30]

[30] See S/2008/274.

202. In February 2008, the Monitoring Group wrote to the Somali Office of the President, which had authorized the expenditures, seeking clarification of the documents, which appeared to represent violations of the embargo. When questioned by the parliamentary Select Committee, which conducted an investigation between 30 April 2008 and 11 May 2008 into the alleged abuse of government revenue, Salim Aliyow Ibrow (acting Minister of Finance in mid-2007 and co-signatory to the payments), refused to offer any explanation, claiming instead that "we were exonerated from what we have done".[31]

203. The attempts of the Monitoring Group to obtain additional information from Prime Minister Nur Hassan Hussein and current Minister of Finance Mohamed Ibrahim Habsade have also been futile. In addition, efforts by the Embassy of Saudi Arabia to obtain further clarification on the outlined military expenses by the Transitional Federal Government authorities have not borne any results. In the absence of information to the contrary, the Monitoring Group has no choice but to conclude, on the basis of the prima facie evidence, that the Office of the Transitional Federal Government President authorized the misappropriation of a significant portion of the Saudi donation for Somali reconciliation, in a manner intended to either openly violate or circumvent the arms embargo.

D. Lack of financial support to the security sector

204. The dysfunction of Transitional Federal Government finances is one of the main factors in the collapse of the Transitional Federal Government security sector. Although the Ministry of Finance claims that 70 per cent of government revenue is spent on security, the Ministry of Defence denied that assertion.[31] In addition, the Monitoring Group has found little evidence to support the assertion that 70 per cent of government revenue goes to support the security sector. On the contrary, the failure of the Transitional Federal Government to pay military and police salaries is routinely cited as a factor in desertions, defections, the resort to extortion and crime, and the sale of weapons and uniforms.

205. In lieu of central government funding, regional and local administrations fund their security forces through the imposition of checkpoints, the levying of "taxes" on commercial transportation, and other informal revenue collection systems. The Lower Shabelle administration, for example, maintains a series of checkpoints between Marka and Afgooye. The Bay and Bakool regional administration also collects revenues locally, and solicits cash advances from the business community to finance an estimated 800-1,000 security personnel. Despite these efforts, the Monitoring Group has learned that these forces are a net source of insecurity for the civilian population, indulging in theft, extortion and rape, and that attrition rates are high.

E. Financing of armed opposition groups

206. From the perspective of finance, the dysfunction and disarray of the Transitional Federal Government contrasts sharply with the performance of various armed opposition groups. These latter are characterized by effective mobilization

[31] Report of the Parliamentary Select Committee, "A brief note on the state of state finances".

strategies (especially among diaspora groups), sophisticated use of the media and the Internet, and a reputation for financial discipline rather than corruption. Moreover, the capture of major towns, such as Kismayo, Beletweyne and Jowhar, in recent months is likely to provide opposition groups with steady domestic sources of income.

Domestic sources of revenue

207. The capture of Kismayo by joint Shabaab/ICU forces on 22 August 2008 delivered one of the most important economic and strategic assets into the hands of the opposition. Although a clearer picture regarding the actual figures in revenue collections are yet to emerge, previous Monitoring Group estimates projected a quarterly income of about $1,400,000 from import, export and docking charges (see S/2005/625). If the Islamists are able to restore a semblance of order to Kismayo and the hinterland, there is a reasonable probability that the volume of trade through the port will grow and that revenues will increase proportionately.[32]

208. Shabaab is also likely to benefit in some measure from the resources available to Hassan Turki, who backed its offensive to capture Kismayo and remains a leading figure in the political arrangements of the lower Juba Valley. Turki disposes of "tax" revenues from a number of small ports and border crossing points under the control of his forces.

209. At the same time, the de facto authorities have dismantled many of the checkpoints between Marka and Kismayo. Although their removal eliminates a potential source of revenue, it is likely to earn the Islamists a measure of support and legitimacy with the local population.

210. The generation of revenues by the de facto authorities in Kismayo is, inevitably, directly related to their military preparedness. Since seizing control of Kismayo, Shabaab and its allies have been preparing for a possible counter-attack from Barre Adan Shire "Hiiraale", a former Transitional Federal Government Defence Minister allied with Ethiopia, whose forces they defeated in August. Monitoring Group sources report that Shabaab in Kismayo has invested considerably in new military hardware, and has embarked on a recruiting campaign bolstered by the promise of a $150-$200 per month stipends for new recruits.

F. Financial support from the Somali diaspora

211. Somali opposition groups have proven adept at mobilizing support from Somali diaspora communities, through speaking events, public demonstrations and use of the Internet. Some of this activity, although not illegal in host countries, arguably contravenes the arms embargo by raising funds for the procurement of weapons and ammunition by armed groups.

[32] Conversely, Kismayo airport generates close to $60,000 per month in *qaad* import taxes and landing fees, much of which will be lost if the Islamists ban *qaad* consumption, as they have done in the past.

Fund-raising in the United Arab Emirates

212. The United Arab Emirates is host to a Somali diaspora community whose economic activities continue to play an important role in the largely informal Somali economy. Many Somali-owned businesses are concentrated in the port cities of Dubai, Abu Dhabi, Ajman, Sharjah and Fujairah. Notwithstanding regulation efforts of the Central Bank of the United Arab Emirates, the hawalas remain a key channel of money transfer to Somalia.

213. Many Somalis interviewed by the Monitoring Group attested to the continued remittance of funds through hawalas in Dubai to support the armed struggle against Ethiopian occupation and to advance the causes of various armed opposition groups. To avoid raising suspicion and possible detection, the large sums of money collected for the armed opposition groups are reportedly broken down into smaller figures to circumvent the regulations of the Central Bank of the United Arab Emirates. In addition to the use of couriers to deliver the funds to recipients in Somalia, witnesses have described to the Monitoring Group the purchase of various essential commodities, such as rice, sugar and cooking oil from Dubai, which are then shipped to Somalia, where they are reconverted into cash.

214. Since the United Arab Emirates commenced registration and regulation of hawalas in 2004, well over 200 licences have been issued to hawala operators. The very fact that there are so many hawalas operating in the United Arab Emirates, in the view of the Monitoring Group, presents regulatory challenges in the identification and prevention of outward transactions to the various factions in Somalia. This problem is further aggravated by the fact that the Somali economy largely functions on the basis of trust and credit, leaving little or no written paper trail.

215. Some Somali merchants in the United Arab Emirates play a more direct role in supporting armed forces and groups in Somalia, including transportation of arms and military materiel. The Monitoring Group continues to pursue investigations into the activities of several Dubai-based shipping companies.

Fund-raising in Eastleigh, Nairobi

216. Kenya is home to one of the largest Somali diaspora communities and one that is, by virtue of proximity, very closely engaged in events in the homeland. Many Somali businesses and religious centres, especially in the mainly Somali neighbourhood of Nairobi known as Eastleigh, have links with various armed opposition groups and actively recruit or raise funds for them. The Monitoring Group has received credible reports that wounded fighters of Shabaab and ICU are often brought to Nairobi for medical treatment.

217. The Monitoring Group is currently investigating a number of influential Somali and Kenyan-Somali business and religious figures believed to be active supporters of armed groups in Somalia, and thus potentially complicit in arms embargo violations. In December 2007, one of these figures purchased seven "technical" vehicles from a Mogadishu militia leader from the Abgaal clan, which were subsequently transferred to ICU and deployed in the capture of Jowhar in March 2008. Some of the same vehicles may also have been deployed in the capture of Kismayo in August 2008.

Internet fund-raising

218. Somalis are one of the most active linguistic communities on the Internet, managing an estimated 300 websites. Many of these reflect local, clan or political perspectives. A small number are directly aligned with the various armed forces and groups in the Somali conflict, serving as propaganda outlets, forums for discussion, and recruitment and fund-raising platforms. There are also a large number of Somali language chat rooms and discussion forums, some of them openly operated by supporters of armed groups.

219. The most active Internet presences are the ARS/Asmara, ARS/Djibouti, Shabaab and, to a lesser extent, JABISO (the Transitional Federal Government, Puntland and Somaliland are also well represented in cyberspace). A small sample of websites of armed opposition groups and their apparent affiliations is as follows:

ICU	qaadisiya.com almaxaakim.com shacabka.net
Shabaab	kataaib.net abushabaab.wordpress.com baraawecity.com alqimmah.net
JABISO	jabiso.net somalimirror.com

220. Opposition groups have become increasingly sophisticated in their use of the Internet as a medium of communication. Since early 2007, the Shabaab leadership — notably Mukhtar Roobow and Fu'aad Mohamed Khalaf "Shangole" — have used chat rooms to report on the progress of the armed struggle and to solicit contributions from the diaspora.

221. In February 2008, in a transnational joint investigation into a suspected Internet-based fund-raising bid, Norwegian and Swedish police authorities arrested six Somali-Nordic nationals who were reportedly coordinating a fund-raising session for the Somali opposition forces.

222. Contributions raised through such forums are usually directed to a focal point in the diaspora, often in Dubai, but sometimes in other locations, such as Cairo. The focal point will then remit the funds to Somalia through one of several methods: through money transfer companies in small amounts, so as to avoid detection; through Somali business figures in the diaspora, who can then make funds or goods available inside the country; or hand-carried by cash courier.

223. Such techniques have become increasingly popular with other opposition groups as well, as demonstrated by the brief case study below.

G. Case study: Fund-raising by ARS/Asmara

224. ARS/Asmara is an armed opposition group and a belligerent in the conflict in southern Somalia. Unlike ARS/Djibouti, ARS/Asmara is not party to any peace accords and therefore is unlikely to be eligible for possible exemptions pertaining to

training and maintenance of joint security forces. ARS/Asmara conducts no known non-military activities inside Somalia, and any fund-raising or mobilization activities may therefore realistically be considered to be for the purchase of arms and other embargo violations.

225. ARS was formed in September 2007 as an umbrella of various groups, including representatives from the Somali diaspora, and both the Djibouti and Asmara wings continue to enjoy close ties with Somali diaspora communities worldwide. One of the most active spokesmen and fund-raisers for the Asmara wing is Zakariye Mohamud Haji Abdi, Second Deputy Chairman of the ARS/Asmara Executive Committee.

226. According to media reports, Zakariye was one of several key speakers at a fund-raising event and conference hosted by United Somali Diaspora, which took place at the Crowne Plaza Hotel in Minneapolis, Minnesota, on 24 November 2007. A follow-up conference was held the following weekend at the Days Inn in Falls Church, Virginia, by United Somali Diaspora and several other United States-based Somali groups.[33]

227. Zakariye remains one of the most vocal advocates of ARS/Asmara. A report received by the Monitoring Group describes an October 2008 Internet fund-raising event, attended by over 450 Somalis, at which Zakariye was the keynote speaker. He reportedly explained that new offices and representatives would be established across Europe, whose activities would include "mobilizing the masses and raising funds for the fighters in Somalia, and the orphans left by the martyrs". He urged listeners to continue sending money to the fighters in Somalia, and announced that the organization would be holding further public events in the United Kingdom to raise support for its activities.

Non-Somali contributions

228. In the period under review, the Monitoring Group received information from both open sources and confidential contacts that most armed opposition groups in Somalia continue receiving financial and material support from non-Somali, Islamist donors abroad.

229. Most contributions of this nature come from private donors and Islamic charities, often intended to serve non-violent purposes. In two cases, for example, the Monitoring Group received reports of donations from Islamic charities to armed opposition groups, with or without the charities' knowledge. The Monitoring Group is continuing to investigate these allegations.

230. The Monitoring Group is also investigating reports that some Governments may participate indirectly in arms embargo violations through payments to the Eritrean Government. Asmara then allegedly redirects those funds, in whole or in part, to armed groups in Somalia.

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[33] http://somaliswiss.wordpress.com/2007/11/27/kulan-ay-soo-qaban-qaabiyeen-united-somali-diaspora-oo-kadhacay-gobolka-minnesota-iyo-wafti-kasocda-ururka-xornimadoonka-soomaaliyeen-oo-si-weyn-dadkii-halkaa-isugu-yimi-u-qiiro-galiayay/ accessed on 10 November 2008, and Patrick Poole, "Homeland Insecurity: Terrorist fundraising in the heartland", 14 December 2007, accessed at http://www.ethiomedia.com/access/terrorist_fundraising_in_the_heartland.html on 8 November 2008.

H. Evolution of payme

ent mechanisms

231. Increased internati
obliged armed groups in
observed a detectable sh
involving creative metho

onal scrutiny of hawala and money transfer companies has
Somalia to adapt their methods. The Monitoring Group has
hift in the pattern of financing of arms embargo violations,
ods of transferring value across international borders.

232. Global and nationa
have encouraged most c
Arabia and the United A
procedures in both the fo
money transfers, this us
include the name and a
unique reference numbe
suspicious has to be refe

l strategies promoted by Financial Action Task Force bodies
countries in the Gulf Cooperation Council, including Saudi
Arab Emirates, to enforce minimum anti-money-laundering
ormal and informal banking regimes. With respect to hawala
sually involves the principle that payment instruction must
address of the remitter and either an account number or a
er.[34] Another general principle is that any remittance deemed
erred to the appropriate authorities for follow-up.

233. In the case of the
sum of United Arab Em
details be recorded and
for reference by the auth
Money-Laundering and
United Arab Emirates.
registration certificate, o

United Arab Emirates, for example, any remittance over the
irates Dirham, 2,000 (US$ 450) requires that the remitter's
verified, and a copy of the remitter's identification retained
horities. Suspicious transactions must be referred to the Anti-
Suspicious Transactions Unit of the Central Bank of the
In addition, every hawala outlet is required to possess a

234. Such measures hav
services, and have encou

or face heavy penalties or jail.

ve reduced the appeal to armed opposition groups of hawala
uraged them to develop alternative methods.

Courier

235. The use of courier
payment to armed crim
common for ransom to
for hostages. Following

rs has become particularly common as a means of ransom
ninal groups. In piracy cases, it has become increasingly
be delivered in a ship-to-ship transfer of cash in exchange
are some examples:

(a) On 16 Dece
Bossaso by a nine-men
Yusuf. The hostage was
delivered by courier fro

ember 2007, a French journalist was kidnapped outside
mber armed gang from the Deshiishe clan led by Osman
consequently released on 24 December after a ransom was
n Nairobi to Deshiishe elders;

(b) On 26 Decem
in Bossaso were kidnap
Warsengeli clans, again
Group has learned tha
diplomats to Deshiishe
Health Abdirahman Sa'i

ber 2007, two Médecins Sans Frontières international staff
ped by 12 armed men from Deshiishe, Ali Saleebaan and
commanded by Osman Yusuf. In this case, the Monitoring
the ransom was delivered by Spanish and Argentine
elders, led by Hassan Dhuqub and Puntland Minister of
Dheegweyne;

(c) In June 200
Warsangeli, Ali Saleeba
the Somali coast. After
hostages were released a
cash was delivered to B

8, another criminal band comprising members of the
and Issa Mohamud clans kidnapped a German couple off
nearly five weeks in captivity to the west of Bossaso, the
fter a ransom of $650,000 was paid to the kidnappers. The
ssaso by a courier sent from an embassy in Nairobi. The

[34] Notice No. 1815/2001, Cent

al Bank of the United Arab Emirates, 3/10/2001, p. 1.

Puntland administration then facilitated onward delivery of the cash directly to the kidnappers;

(d) On 16 October 2008, a spokesman of a Korean-registered vessel hijacked in early September 2008, confirmed to Al Jazeera that the owners of the ship had paid an undisclosed ransom to the pirates through an unnamed courier. The official spoke on condition of anonymity, citing the sensitivity of the issue;

(e) The Monitoring Group has learned that funds raised in Eastleigh in support of Somali armed opposition groups are often delivered by an elaborate overland courier system that relies on public transportation through Kenya's North Eastern Province to the Somali border.

Alternative value transfer mechanisms

236. The Monitoring Group has learned from first-hand sources in Dubai that supporters and financiers of Somali armed opposition groups are increasingly turning to contributions in kind, rather than in cash. Cash donations, whether from fund-raising efforts or from sponsors like the Eritrean Government, are used to purchase merchandise such as sugar, cement, building materials, clothing and electronic goods, for transportation to Somalia, where middlemen sell the items and pass on the cash to the beneficiary group.

237. For example, on 9 October 2008, members of the Puntland-based piracy network seized a cargo vessel carrying a consignment of cement to Bossaso. The consignee of the shipment was a prominent Bossaso businessman and religious figure, with alleged links to Shabaab. The shipment was freed through the intervention of the businessman's own militia, and the cement was then sold in Bossaso.

VI. Principal violators of the arms embargo and non-compliant actors

238. The Monitoring Group has observed that the arms embargo has been violated by two types of actors during the course of this mandate: actors who committed substantive violations for which an exemption to the arms embargo could not be obtained; and non-abiding partners, who provided support to the Somali security sector, whose activities might have been eligible for an exemption if notified to the sanctions Committee. Non-abiding partners also include those who do not put in place sufficient measures to enforce the arms embargo.

239. In addition to identifying these two categories of violators and non-abiding partners, the Monitoring Group is compiling a more comprehensive list of individual violators of the arms embargo.

A. Principal violators

240. Eritrea continues to provide training, arms and financial support to armed opposition groups in contravention of the arms embargo. It is highly unlikely that any of Eritrea's activities would qualify for exemptions from the arms embargo.

241. The military presence of Ethiopian troops in Somalia, as well as their weapons supplies to the Puntland authorities and other allied militia, represent a violation of the arms embargo.

242. The Canadian-based Africa Oil Corp. has not notified the sanctions Committee of the recruitment of armed security guards, or the hiring of foreign armed guards and trainers.

B. Non-compliant actors

243. The Government of Ethiopia has trained a total of 17,000 Somali security personnel without notifying the sanctions Committee. It has, at the same time, provided significant amounts of arms to the Transitional Federal Government military, military and police recruits, equally without notification or receiving an exemption.

244. The Government of Yemen continues to demonstrate serious shortcomings in the implementation of measures aimed at enforcing the arms embargo.

245. UNDP did not notify the sanctions Committee, in advance, of its recruitment and management of armed Somali security personnel, or of its training and support programme for the Somali police, which included a specific training component relating to technical assistance in the handling of weapons for the Police Special Protection Unit. On 12 November 2008, UNDP addressed a letter to the Committee describing past and ongoing contributions to the security sector. The Monitoring Group welcomes this step by UNDP to bring its security sector activities into compliance with the arms embargo.

VII. Cooperation with States and organizations

246. The emphasis of the Monitoring Group on cooperation with concerned Governments and authorities produced a number of very positive working relationships.

247. The Transitional Federal Government designated a cabinet rank focal point and an intelligence liaison in July 2008. The Somali embassy in Nairobi facilitated issuance of visas for members of the Monitoring Group to travel to Somalia on short notice.

248. The Kenyan Ministry of Foreign Affairs, Horn of Africa Division, established a joint, interdepartmental working group, which met on three occasions. From 12 to 16 October, two experts of the Monitoring Group, and four government officials from the Ministry of Foreign Affairs, the Office of the President, the Department of Immigration and the National Security and Intelligence Services carried out a joint mission in the North Eastern Province of Kenya. The Monitoring Group learned that Ethiopian and Somali affiliated clans were fueling armed clashes on Kenyan territory, between the Garre and Murille communities, in the Mandera area. On 5 November, following a military operation, the Kenyan Government declared that its forces had captured 135 fighters of Somali and Ethiopian origin. The operation also netted 130 assault rifles, 6 bombs, 620 detonators and 1,051 rounds of ammunition.

249. The Government of Ethiopia designated a senior official of the Ministry of Foreign Affairs as focal point and a Ministry of Defence Liaison for the Monitoring Group. The Government of Ethiopia provided detailed and specific information to the Monitoring Group upon request.

250. The Government of Djibouti designated an official liaison for the Monitoring Group and provided detailed and specific information upon request.

251. The Somaliland administration extended its full cooperation to the Monitoring Group, and provided direct access to confiscated arms and ammunition for tracing purposes.

252. The Puntland authorities extended full cooperation with the Monitoring Group, and provided detailed and specific information upon request.

253. UNPOS, UNDP, IOM and the European Commission have offered valuable cooperation to the Monitoring Group, as have several Member States.

A. Right of reply

Assistance requests

254. During the course of the current mandate, the Monitoring Group sent a total of 42 letters to Member States and private companies, asking for their assistance in executing its mandate. Letters were sent to the African Union, Belgium, Bulgaria, Canada, Comoros, Djibouti, Eritrea, Ethiopia, France, Germany, the Islamic Republic of Iran, Iraq, Japan, Kenya, the Netherlands, the People's Republic of China, Poland, the Russian Federation, the Republic of Korea, Saudi Arabia, Singapore, Spain, the Transitional Federal Government of Somalia, Uganda, the United Arab Emirates, the United States of America and Yemen. At the time of writing the present report, the Monitoring Group had received 15 answers.

B. Assistance in the tracing of arms

255. Among the letters, the Monitoring Group has asked Member States and companies for their cooperation in identifying and tracing the supply route of arms found on Somali territory. Based on the information provided by the Member States, most of the items traced had been produced before the imposition of the arms embargo in 1992. In some cases, the production firms had ceased to exist, and documentation on the original weapons sale was no longer available.

256. Some of the replies received from Member States were, however, problematic, such as those stating that the State in question had not violated the arms embargo because of the pre-1992 production date of the weapon. Of relevance would naturally be the date of sale and the country to which the weapon was sold in the first place, allowing for a new assistance request to that country. In one case, the validity of a pre-1992 answer could be put in real perspective as another request, made for a specimen of the same arm marked 1996, has not yet received a reply.

257. Most of the arms used in the Somali conflict are small arms and light weapons. Member States in the region have ratified the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, as adopted by the General Assembly in its resolution 60/81 of

8 December 2005. The Monitoring Group would highly benefit from receiving the results of tracing processes for illegal weapons that States have seized from Somali combatants, or that they believe have transited Somalia. Such information is part of the "government records" that Member States are requested to share with the Monitoring Group, in accordance with paragraph 6 of Security Council resolution 1425 (2002).

VIII. Observations/conclusions

258. During the current mandate, the Monitoring Group has witnessed the continuing erosion of the cohesion of the Transitional Federal Government, the fragmentation of armed opposition groups and a dramatic escalation in the activities of armed criminal groups, including terrorism and piracy. Unless there is further progress towards a durable ceasefire, a credible political process and restoration of effective institutions of governance, such trends are likely to continue. However, failure to enforce the arms embargo will gravely undermine the prospects for progress on any and all of these fronts.

A. Security sector

259. The disintegration of the residual governance capacity of the Transitional Federal Government, notably the security sector, has contributed significantly to the dispersal of arms, ammunition, military equipment and trained soldiers throughout southern Somalia. The consequences of this entropy are likely to be sustained and far-reaching, as they further undermine the prospects for restoration of centralized authority and a State monopoly over the legitimate use of force.

260. The vast majority of these security resources were provided to the Transitional Federal Government by external partners without notification or authorization from the sanctions Committee. Unless future security sector inputs are subject to closer oversight, better coordinated and anchored in a more stable, credible security sector governance structure, they are likely to follow the same pattern.

261. According to Security Council resolutions 1744 (2007) and 1772 (2007), only States are currently entitled to apply for exemptions to the arms embargo regarding support to the security sector. Executing agencies and implementing partners delivering such support might not be aware as to whether their programmes infringe upon aspects of the arms embargo and, in such cases, whether an exemption has been sought or authorized. More diligent compliance with the exemptions procedures established by the Security Council would contribute positively to a more coherent security sector support strategy, through greater transparency and accountability.

B. Commercial availability of arms

262. Despite the haemorrhaging of the Transitional Federal Government security sector, there remains a steady demand for arms and ammunition from commercial arms markets, chiefly in Yemen. The inability of the Government of Yemen to stem

the flow of weapons across the Gulf of Aden has long been, and is likely to remain, a key obstacle to the restoration of peace and security to Somalia.

263. Curbing the flow of Yemeni weapons to Somalia will require a package of robust political pressures and incentives, capacity-building programmes for coast guards around the Red Sea and Gulf of Aden, and direct naval action to interdict arms trafficking.

C. Piracy

264. The phenomenal growth of piracy in recent months is also in part driven by non-enforcement of the arms embargo. The expansion of maritime militias has benefited from their ready access to arms and ammunition. The Monitoring Group has identified an overlap between piracy, contraband and arms trafficking across the Gulf of Aden. It has also established that piracy networks benefit from the complicity and protection of senior officials in the Puntland administration.

265. In addition to the type of maritime operations envisaged by EU NAVCO, Combined Task Force-150 and other maritime security forces, the Monitoring Group believes that interdiction of arms trafficking across the Gulf of Aden and the imposition of targeted sanctions against key pirate leaders and their sponsors in the Puntland administration would represent a significant contribution to international piracy efforts.

266. At the same time, there is no escaping the importance of escalating ransom payments in fuelling the growth of piracy (and the related crime of kidnapping) and in financing violations of the arms embargo. Piracy attacks have become the most lucrative economic activity in Somalia, and the pirates are using part of the ransom monies to upgrade their arsenals in order to become more effective and efficient in their operations. Unless international action is able to reverse the cost-benefit ratio that drives the piracy phenomenon, it is likely to remain a scourge to international shipping in the Gulf of Aden and Indian Ocean and to peace and security in Somalia.

IX. Recommendations

A. Management, registration and disposal of weapons

267. In its previous report, the Monitoring Group had recommended that the sanctions Committee request the Transitional Federal Government and AMISOM to report on measures taken for the establishment of a transparent process for the management and disposal of weapons. The Monitoring Group reiterates its recommendation to the sanctions Committee, and proposes that letters be sent to the Transitional Federal Government, AMISOM, and the Government of Ethiopia.

268. The Monitoring Group recommends that the Committee request that the Transitional Federal Government, AMISOM, and any other international forces to be deployed in future to Somalia put in place transparent systems for the registration, management and disposal of weapons, ammunition and explosive stockpiles in accordance with international practices. Emphasis should be placed on

rapid destruction of surplus and to inform the Committee within two months of the measures taken in this respect.

B. Tracing of weapons

269. The Monitoring Group has identified the tracing of arms found on Somali territory as a key element in its efforts to document arms embargo violations. The Monitoring Group recommends that:

(a) The Committee remind Member States of their obligations under the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and light weapons, as adopted by the General Assembly in its resolution 60/81;

(b) The Monitoring Group recommends that the Security Council require States and international organizations, that come into possession of weapons, ammunition or military material that is either on Somali territory or is destined for Somalia or has originated in Somalia, to record the identifying characteristics of those items and share them with the Monitoring Group, in accordance with paragraph 6 of Security Council resolution 1425 (2002).

C. Notification

270. The Monitoring Group recommends that:

(a) The Security Council consider establishing more precise guidelines for the notification of support to Somali security sector institutions, including the identification of any executing agencies and/or implementing partners involved in the programme; revisiting exemptions on a periodic basis to determine whether or not the exemption should be renewed; permit verification of such activities by the Monitoring Group in order to ensure that they are consistent with the exemption authorized;

(b) The Security Council consider formally extending to international organizations, including United Nations specialized agencies, the requirement to notify the Committee in advance of security sector support programmes.

D. Piracy

271. The Monitoring Group recommends that:

(a) The Security Council authorize international naval forces in the Gulf of Aden and the Indian Ocean, including Combined Task Force-150, EU NAVCO, the NATO maritime force, and the Russian naval component, to seize any weapons encountered in the course of their operations and to actively interdict arms trafficking as per their capabilities;

(b) The Security Council request the same naval forces to share any information in relation to weapons seizures with the Monitoring Group;

(c) The Security Council revisit the proposal to establish a maritime administration caretaker authority for Somalia, referred to in paragraphs 108 and

195 of the report of the Monitoring Group dated 11 August 2004 (S/2004/604), to reassess the feasibility of that project, in order to ensure the monitoring, control and surveillance of Somali waters;

(d) The Security Council encourage Member States to provide capacity-building and support for the operations of the Somali Coast Guard forces, notably Somaliland and Puntland, as well as the navies and coast guards of regional States such as Kenya, Yemen and Djibouti;

(e) The Security Council take under consideration the issue of ransom payments for the release of vessels hijacked off the Somali coast, and the linkage between ransom payments and arms embargo violations, and adopt a common position on the legality of such payments.